

## Senate Bill 76

By: Senators Albers of the 56th, Robertson of the 29th, Dugan of the 30th, Kirkpatrick of the 32nd, Kennedy of the 18th and others

## A BILL TO BE ENTITLED

## AN ACT

1 To amend Article 12 of Chapter 3 of Title 38 and Part 4 of Article 2 of Chapter 5 of Title 46  
2 of the Official Code of Georgia Annotated, relating to emergency communications authority  
3 and emergency telephone number 9-1-1 system, respectively, so as to provide for Next  
4 Generation 911 systems and services; to provide for definitions; to revise the duties and  
5 responsibilities of the Georgia Emergency Communications Authority to include Next  
6 Generation 911 systems and services; to revise the role of the executive director of the  
7 authority; to create the Georgia NG911 Fund; to impose and dedicate the proceeds of certain  
8 telephone subscriber fees to the Georgia NG911 Fund; to provide for annual reporting; to  
9 provide for compliance with constitutional requirements; to provide for an automatic repeal;  
10 to revise distribution and the amounts of certain telephone subscriber fees; to revise billing  
11 requirements for such subscriber fees; to revise certain funding requirements; to repeal  
12 certain local government requirements; to revise uses of the Emergency Telephone System  
13 Fund; to repeal certain guidelines pertaining to additional charges involving contracts  
14 between two or more counties; to revise training and instruction requirements; to amend  
15 Chapter 8 of Title 35 and Chapter 60 of Title 36 of the Official Code of Georgia Annotated,  
16 relating to employment and training of peace officers and general provisions applicable to  
17 counties and municipal corporations, respectively, so as to revise training requirements for  
18 communication officers; to provide for related matters; to condition effectiveness upon

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19 approval by two-thirds' majority vote in both the Senate and the House of Representatives;  
20 to provide for an effective date; to repeal conflicting laws; and for other purposes.

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

22 **PART I**  
23 **SECTION 1-1.**

24 Article 12 of Chapter 3 of Title 38 of the Official Code of Georgia Annotated, relating to  
25 emergency communications authority, is amended by adding new paragraphs to Code  
26 Section 38-3-181, relating to definitions, as follows:

27 "(2.1) 'Emergency medical dispatch' means the management of requests for emergency  
28 medical assistance by utilizing a system of:

29 (A) A tiered response or priority dispatching of emergency medical resources based  
30 on the level of medical assistance appropriate for the victim; and

31 (B) Prearrival first aid or other medical instructions given by trained  
32 telecommunicators responsible for receiving 9-1-1 calls and dispatching public safety  
33 agencies."

34 "(4.1) 'GIS' means computerized geographical information than can be used to assist in  
35 locating a person who calls for emergency assistance, including, but not limited to,  
36 mapping elements such as public safety answering point boundaries, provisioning  
37 boundaries, site structure address points, road centerlines, emergency service boundaries,  
38 and other additional data."

39 "(5.1) 'Next Generation Core Services' means services required to deliver secure,  
40 interoperable, multimedia-capable services to public safety answering points, seamlessly  
41 and without the need for proprietary interfaces.

42 (6.2) 'Next Generation 9-1-1 Network' or 'NG911 network' means managed internet  
43 protocol-based networks, functional elements, and data bases that expand E-911 features  
44 and enable the public to transmit digital information to public safety answering points  
45 utilizing commonly accepted standards followed by the emergency communications  
46 industry for Emergency Service IP Networks (ESInet), GIS, cybersecurity, and other  
47 system components.

48 (6.3) 'Next Generation 9-1-1 System' or 'NG911 system' means an internet  
49 protocol-enabled emergency communications system, enabling the public to reach an  
50 appropriate public safety answering point by sending the digits 9-1-1 via dialing, text, or  
51 any other technological means

52 (6.4) 'Next Generation 9-1-1 system provider' or 'NG911 system provider' means an  
53 entity that provides a next generation or IP-enabled 9-1-1 system to a PSAP."

54 "(8.1) 'Primary public safety answering point' means the first point of reception of a 9-1-1  
55 call by a public safety answering point."

56 "(9.1) 'State Emergency Services IP Network' or 'ESInet' means an NG911 network  
57 contracted by the Georgia Emergency Communications Authority to one or more NG911  
58 system providers for the purpose of securely receiving 9-1-1 calls, transferring 9-1-1 calls  
59 and all associated data, providing centralized network management and security  
60 monitoring, and enabling GIS call routing."

61 **SECTION 1-2.**

62 Said article is further amended by revising paragraphs (7) and (8) of, and adding new  
63 paragraphs to, subsection (c) of Code Section 38-3-182, relating to establishment of Georgia  
64 Emergency Communications Authority, purpose, duties and responsibilities, board of  
65 directors, perpetual existence, power and authority, operation, and regulation, as follows:

66 "(7) Collect data and statistics regarding the performance of public safety answering  
67 points; and

- 68 (8) Identify any necessary changes or enhancements to develop and deploy NG911  
69 statewide state wide;
- 70 (9) Administer the deployment of a 9-1-1 service for emerging communications  
71 technologies, including, but not limited to, the State ESInet and Next Generation Core  
72 Services;
- 73 (10) Use funds available to the board in the Georgia NG911 Fund under Code Section  
74 38-3-188.1 to pay its obligations incurred for state-wide 911 projects;
- 75 (11) Develop a grant program utilizing monies in the Georgia NG911 Fund, if funds are  
76 available for grant purposes, to assist primary public safety answering points in hardware  
77 and software upgrades;
- 78 (12) Establish a lab environment to validate that the NG911 system is configured  
79 properly and meets the necessary requirements and to ensure seamless interoperability  
80 between the State ESInet, Next Generation Core Services, and the call handling  
81 equipment providers in this state and surrounding states;
- 82 (13) Establish an emergency communications cybersecurity center to allow for further  
83 innovation of cybersecurity solutions to protect the State ESInet, Next Generation Core  
84 Services, and public safety answering points;
- 85 (14) Establish cooperative purchasing agreements or other contracts for the procurement  
86 of goods and services including, but not limited to, call handling equipment, computer  
87 aided dispatch, and emergency medical dispatch programs;
- 88 (15) Coordinate, adopt, and communicate all necessary technical and operational  
89 standards and requirements to ensure an effective state-wide interconnected and  
90 interoperable State ESInet;
- 91 (16) Coordinate, adopt, and communicate all necessary technical and operational  
92 standards and requirements for GIS data related to NG911; and
- 93 (17) Collect, manage, and analyze call taking data that are delivered to the State ESInet  
94 for use by the authority in performing call analytics and call routing."

95 **SECTION 1-3.**

96 Said article is further amended by revising Code Section 38-3-183, relating to appointment  
97 of executive director, role, and additional staffing, as follows:

98 "38-3-183.

99 The director of the Georgia Emergency Management and Homeland Security Agency shall  
100 appoint an executive director, subject to approval by the board, who shall be the  
101 administrative head of the authority; and shall establish the salary of the executive director.

102 The executive director shall serve at the pleasure of such director. The executive director  
103 shall be considered the state 9-1-1 administrator and the state-wide interoperability  
104 coordinator for the purposes of relevant state and federal law and program requirements.

105 The executive director, with the concurrence and approval of such director, shall hire  
106 officers, agents, and employees; prescribe their duties, responsibilities, and qualifications;  
107 set their salaries; and perform such other duties as may be prescribed by the authority.

108 Such officers, agents, and employees shall serve at the pleasure of the executive director."

109 **SECTION 1-4.**

110 Said article is further amended by revising Code Section 38-3-188, relating to retention of  
111 funds by Department of Revenue and payment to local governments, as follows:

112 "38-3-188.

113 (a) The Department of Revenue shall retain from the charges remitted to it pursuant to  
114 subsection (a) of Code Section 38-3-185 and pursuant to Code Section 46-5-134.2 an  
115 amount equal to ± 0.5 percent of the total amount of such charges and remit such amount  
116 to the authority.

117 (b)(1) Under the authority granted and subject to the conditions imposed by Article III,  
118 Section IX, Paragraph VI(r) of the Constitution of Georgia, 16.5 percent of the fees  
119 collected pursuant to paragraph (1) of subsection (a) of the Code Section 46-5-134,  
120 beginning on January 1, 2022, and ending on December 31, 2032 shall be dedicated to

121 the Georgia NG911 Fund; provided, however, that up to 20 percent of such percentage  
122 may be designated by an act of the General Assembly to the Peace Officers' Annuity and  
123 Benefit Fund of Georgia.

124 (2) The state revenue commissioner shall administer the provisions of this Code section  
125 and shall prepare, by February 1 of each year, an accounting of the funds received and  
126 expended pursuant to this subsection. The report shall be made available to the House  
127 Committee on Public Safety and the Senate Public Safety Committee, and to members  
128 of the public upon request.

129 (3) This subsection shall stand repealed and reserved on December 31, 2032.

130 (c) Except for the amounts retained by the authority, the Georgia NG911 Fund,  
131 Department of Revenue, and service suppliers pursuant to Code Sections 38-3-186 and  
132 46-5-134 and this Code section, the remainder of the charges remitted by service suppliers  
133 shall be paid by the Department of Revenue to each local government on a pro rata basis  
134 based on the remitted amounts attributable to each such local government reported by  
135 service suppliers in the reports required by subsection (b) of Code Section 38-3-185. Such  
136 payments shall be made by the Department of Revenue to such local governments not later  
137 than 30 days following the date charges must be remitted by service suppliers to the  
138 Department of Revenue pursuant to subsection (a) of Code Section 38-3-185. Under no  
139 circumstances shall such payments be, or be deemed to be, revenues of the state and such  
140 payments shall not be subject to or available for appropriation by the state for any purpose."

141 **SECTION 1-5.**

142 Said article is further amended by adding a new Code section to read as follows:

143 "38-3-188.1.

144 (a) There is created a fund to be known as the Georgia NG911 Fund and shall be  
145 administered by the board.

146 (b) The fund shall be funded with fees as provided for in subsection (b) of Code Section  
147 38-3-188. The purpose of the fund shall be to facilitate the duties and responsibilities of  
148 the authority as provided for in paragraphs (9) through (13) of subsection (c) of Code  
149 Section 38-3-182. Beginning on January 1, 2022, and every year thereafter, the board shall  
150 report revenues and expenses of the board.

151 (c) This Code section shall be repealed in its entirety on July 1, 2031."

152 **PART II**

153 **SECTION 2-1.**

154 Part 4 of Article 2 of Chapter 5 of Title 46 of the Official Code of Georgia Annotated,  
155 relating to emergency telephone number 9-1-1 system, is amended by adding a new  
156 paragraph to Code Section 46-5-122, relating to definitions, as follows:

157 "(10.1) 'Next Generation 9-1-1' or 'NG911' is a secure, nationwide, interoperable,  
158 standards-based, all internet protocol emergency communications infrastructure, enabling  
159 end-to-end transmission of all types of data, including, but not limited to, voice and  
160 multimedia communications from the public to a public safety answering point."

161 **SECTION 2-2.**

162 Said part is further amended by revising paragraph (1) of subsection (a) of Code Section  
163 46-5-124, relating to guidelines for implementing state-wide emergency 9-1-1 system and  
164 training and equipment standards, as follows:

165 "(1) Steps of action necessary for public agencies to effect the necessary coordination,  
166 regulation, and development preliminary to a 9-1-1 system that shall incorporate the  
167 requirements of each public ~~service~~ safety agency in each local government of Georgia;"

168 **SECTION 2-3.**

169 Said part is further amended by revising Code Section 46-5-126, relating to cooperation by  
170 commission and telephone industry, as follows:

171 "46-5-126.

172 The authority shall coordinate its activities with those of the Public Service Commission,  
173 which shall encourage the Georgia telephone industry to ~~activate facility modification plans~~  
174 ~~for a timely 9-1-1~~ support the timely implementation of NG911."

175 **SECTION 2-4.**

176 Said part is further amended by revising subsection (b) of Code Section 46-5-127, relating  
177 to approval of 9-1-1 systems by agency and written confirmation by authority required for  
178 9-1-1 systems established on or after January 1, 2019, as follows:

179 "(b) On or after January 1, 2019, no emergency 9-1-1 system shall be established, and no  
180 existing system shall be expanded to provide wireless enhanced 9-1-1 service or NG911  
181 service, without written confirmation by the authority that the local plan conforms to the  
182 guidelines and procedures provided for in Code Section 46-5-124. The authority shall not  
183 deny establishment of a new system or an expansion to provide wireless enhanced 9-1-1  
184 service if the local plan conforms to the guidelines and procedures provided for in Code  
185 Section 46-5-124."

186 **SECTION 2-5.**

187 Said part is further amended by revising subsections (a) and (c) of Code Section 46-5-133,  
188 relating to authority of local government to adopt resolution to impose monthly 9-1-1 charge,  
189 as follows:

190 "(a) Subject to the provisions of subsection (b) of this Code section, the governing  
191 authority of any local government which operates or which contracts for the operation of  
192 an emergency 9-1-1 system is authorized to adopt a resolution to impose a monthly 9-1-1



193 charge upon each telephone service subscribed to by telephone subscribers whose exchange  
194 access lines are in the areas served or which would be served by the 9-1-1 service. Subject  
195 to the provisions of subsection (b) of this Code section and of subparagraphs (a)(2)(A) and  
196 (a)(2)(B) of Code Section 46-5-134, the governing authority of any local government  
197 which operates or contracts for the operation of an emergency 9-1-1 system which is  
198 capable of providing or provides enhanced 9-1-1 service to persons or entities with a  
199 wireless telecommunications connection, excluding a military base, is authorized to adopt  
200 a resolution to impose a monthly wireless enhanced 9-1-1 charge upon each wireless  
201 telecommunications connection, other than a connection for prepaid wireless service,  
202 subscribed to by telephone subscribers whose place of primary use is within the geographic  
203 area that is served by the local government or that would be served by the local government  
204 for the purpose of such an emergency 9-1-1 system. Such resolution, or any amendment  
205 to such resolution, shall fix a date on which such resolution and the imposition and  
206 collection of the 9-1-1 charge or wireless enhanced 9-1-1 charge, as provided in the  
207 resolution, shall become effective; provided, however, that such effective date shall be at  
208 least 120 days following the date of the adoption of such resolution or any amendment to  
209 such resolution by the local government. The 9-1-1 charge must be uniform, may not vary  
210 according to the type of telephone service used, and may be billed on a monthly or  
211 quarterly basis. The wireless enhanced 9-1-1 charge must be uniform, not vary according  
212 to the type of wireless telecommunications connection used, and ~~may~~ shall be billed on a  
213 monthly ~~or quarterly~~ basis."

214 "(c) On and after January 1, 1999, no monthly 9-1-1 charge provided for in this Code  
215 section shall be imposed or continue to be imposed unless each public safety answering  
216 point funded in whole or in part from such charges is in compliance with Code Section  
217 36-60-19, relating to required ~~TDD~~ training on communicating effectively with people who  
218 are deaf, hard of hearing, or have speech disabilities for communications officers."

219

**SECTION 2-6.**

220 Said part is further amended by revising subsections (a), (d), and (f) of Code Section  
221 46-5-134, relating to billing of subscribers, liability of subscriber for service charge, taxes  
222 on service, establishment of Emergency Telephone System Fund, cost recovery fee, records,  
223 and use of funds, as follows:

224 ~~“(a)(1)(A)(i)~~ Unless exempt, the telephone subscriber of any telephone service shall be  
225 billed for the monthly 9-1-1 charge, if any, imposed with respect to such telephone  
226 service by the service supplier. Such 9-1-1 charge shall be \$1.50 per month per telephone  
227 service provided to the telephone subscriber except as reduced pursuant to paragraph (4)  
228 of subsection (d) of this Code section; provided, however, that beginning on January 1,  
229 2022, the 9-1-1 charge shall be \$2.00 per month per telephone service provided to the  
230 telephone subscriber.

231 ~~(ii)~~(2) In computing the amount due under this subsection, the number of 9-1-1 charges  
232 a telephone subscriber shall be assessed shall not exceed the number of simultaneous  
233 outbound calls that can be made from voice channels the service supplier has activated  
234 and enabled. For telephone service that provides to multiple locations shared  
235 simultaneous outbound voice channel capacity configured to and capable of accessing  
236 a 9-1-1 system in different states, the monthly 9-1-1 charge shall be assessed only for  
237 the portion of such shared voice channel capacity in this state as identified by the  
238 service supplier's books and records. In determining the portion of shared capacity in  
239 this state, a service supplier may rely on, among other factors, a customer's certification  
240 of its allocation of capacity in this state, which may be based on each end user location,  
241 the total number of end users, and the number of end users at each end user location.

242 ~~(B)~~(3) All telephone services billed to federal, state, or local governments shall be  
243 exempt from the 9-1-1 charge. Each service supplier shall, on behalf of the local  
244 government, collect the 9-1-1 charge from those telephone subscribers to whom it  
245 provides telephone service in the area served by the emergency 9-1-1 system. As part of

246 its normal billing process, the service supplier shall collect the 9-1-1 charge for each  
247 month a telephone service is in service, ~~and it shall list the 9-1-1 charge as a separate~~  
248 ~~entry on each bill.~~ Nothing in this Code section shall be construed to require a service  
249 supplier to list the 9-1-1 charge as a surcharge or separate entry on each bill. Service  
250 suppliers that do not list the 9-1-1 charge as a separate entry on each bill shall remit the  
251 9-1-1 charge for each telephone subscriber that pays the bill; provided, however, that this  
252 information shall be maintained in a form auditors can access. If a service supplier  
253 receives a partial payment for a bill from a telephone subscriber, the service supplier shall  
254 apply the payment against the amount the telephone subscriber owes the service supplier  
255 first.

256 ~~(C)~~(4) This ~~paragraph~~ subsection shall not apply to wireless service or prepaid wireless  
257 service or the telephone subscribers or service suppliers of such services.

258 ~~(2)~~(5)(A) If the governing body of a local government operates or contracts for the  
259 operation of a public safety answering point that is capable of providing or provides  
260 automatic number identification of a wireless telecommunications connection and the  
261 location of the base station or cell site which receives a 9-1-1 call from a wireless  
262 telecommunications connection, the subscriber of a wireless telecommunications  
263 connection whose place of primary use is within the geographic area that is served by  
264 the local government or that would be served by the local government for the purpose  
265 of such a public safety answering point may be billed for the monthly wireless  
266 enhanced 9-1-1 charge, if any, imposed with respect to that connection by the wireless  
267 service supplier. Such wireless enhanced 9-1-1 charge shall be \$1.50 per month per  
268 wireless telecommunications connection provided to the telephone subscriber except  
269 as otherwise provided in paragraph (4) of subsection (d) of this Code section; provided,  
270 however, that beginning on January 1, 2022, the 9-1-1 charge shall be \$2.00 per month  
271 per wireless telecommunications connection provided to the telephone subscriber.

272 (B) If the governing body of a local government operates or contracts for the operation  
273 of an emergency 9-1-1 system which is capable of providing or provides automatic  
274 number identification and automatic location identification of a wireless  
275 telecommunications connection, the subscriber of a wireless telecommunications  
276 connection whose place of primary use is within the geographic area that is served by  
277 the local government or that would be served by the local government for the purpose  
278 of such an emergency 9-1-1 system may be billed for the monthly wireless enhanced  
279 9-1-1 charge, if any, imposed with respect to that connection by the wireless service  
280 supplier. Such wireless enhanced 9-1-1 charge may not exceed the amount of the  
281 monthly 9-1-1 charge imposed upon other telephone subscribers pursuant to  
282 paragraph (1) of this subsection and shall be imposed on a monthly basis for each  
283 wireless telecommunications connection provided to the telephone subscriber.

284 (C) All wireless telecommunications connections billed to federal, state, or local  
285 governments shall be exempt from the wireless enhanced 9-1-1 charge. Each wireless  
286 service supplier shall, on behalf of the local government, collect the wireless enhanced  
287 9-1-1 charge from those telephone subscribers whose place of primary use is within the  
288 geographic area that is served by the local government or that would be served by the  
289 local government for the purpose of such an emergency 9-1-1 system. As part of its  
290 normal billing process, the wireless service supplier shall collect the wireless enhanced  
291 9-1-1 charge for each month a wireless telecommunications connection is in service,  
292 and it may list the wireless enhanced 9-1-1 charge as a separate entry on each bill.  
293 Nothing in this Code section shall be construed to require a wireless service supplier  
294 to list the 9-1-1 charge as a separate entry on each bill. Wireless service suppliers that  
295 do not list the 9-1-1 charge as a separate entry on each bill shall remit the 9-1-1 charge  
296 for each telephone subscriber that pays the bill; provided, however, that this  
297 information shall be maintained in a form auditors can access. If a wireless service  
298 supplier receives partial payment for a bill from a telephone subscriber, the wireless

299 service supplier shall apply the payment against the amount the telephone subscriber  
300 owes the wireless service supplier first.

301 (D) Notwithstanding the foregoing, the application of any 9-1-1 service charge with  
302 respect to a mobile telecommunications service, as defined in 4 U.S.C. Section 124(7),  
303 shall be governed by the provisions of Code Section 48-8-6.

304 (E) This paragraph shall not apply to prepaid wireless service or the telephone  
305 subscribers or service suppliers of such service."

306 "(d)(1) Each service supplier that collects 9-1-1 charges or wireless enhanced 9-1-1  
307 charges on behalf of the local government is entitled to retain as an administrative fee an  
308 amount equal to 1 percent of the gross 9-1-1 or wireless enhanced 9-1-1 charge receipts  
309 to be remitted to the local government; provided, however, that such amount shall not  
310 exceed 1¢ for every dollar so remitted.

311 (2) The 9-1-1 charges and the wireless enhanced 9-1-1 charges collected by the service  
312 supplier and transmitted to the authority for distribution to local governments pursuant  
313 to Code Section 38-3-185 shall, upon being received by a local government, be deposited  
314 and accounted for in a separate restricted revenue fund known as the Emergency  
315 Telephone System Fund maintained by the local government. The local government may  
316 invest the money in the fund in the same manner that other moneys of the local  
317 government may be invested and any income earned from such investment shall be  
318 deposited into the Emergency Telephone System Fund.

319 (3) On or before July 1, 2005, any funds that may have been deposited in a separate  
320 restricted wireless reserve account required by this Code section prior to such date shall  
321 be transferred to the Emergency Telephone System Fund required by paragraph (2) of  
322 this subsection.

323 ~~(4) The governing body of a local government shall be required to reduce such monthly~~  
324 ~~9-1-1 charge or wireless enhanced 9-1-1 charge at any time the projected revenues from~~  
325 ~~9-1-1 charges or wireless enhanced 9-1-1 charges will cause the unexpended revenues in~~

326 ~~the Emergency Telephone System Fund at the end of the fiscal year to exceed by one and~~  
327 ~~one-half times the unexpended revenues in such fund at the end of the immediately~~  
328 ~~preceding fiscal year or at any time the unexpended revenues in such fund at the end of~~  
329 ~~the fiscal year exceed by one and one-half times the unexpended revenues in such fund~~  
330 ~~at the end of the immediately preceding fiscal year. Such reduction in the 9-1-1 charge~~  
331 ~~or wireless enhanced 9-1-1 charge shall be in an amount which will avert the~~  
332 ~~accumulation of revenues in such fund at the end of the fiscal year which will exceed by~~  
333 ~~one and one-half times the amount of revenues in the fund at the end of the immediately~~  
334 ~~preceding fiscal year."~~

335 ~~"(f)(1) In addition to cost recovery as provided in subsection (e) of this Code section,~~  
336 ~~money Money from the Emergency Telephone System Fund shall be used only to pay~~  
337 ~~for:~~

338 (A) The lease, purchase, or maintenance of emergency telephone equipment, including  
339 necessary computer hardware, software, and data base provisioning; addressing; and  
340 nonrecurring costs of establishing a 9-1-1 system;

341 (B) The rates associated with the service supplier's 9-1-1 service and other service  
342 supplier's recurring charges;

343 (C) The actual cost, according to generally accepted accounting principles, of salaries  
344 and employee benefits incurred by the local government for employees hired by the  
345 local government solely for the operation and maintenance of the emergency 9-1-1  
346 system and employees who work as directors as that term is defined in Code Section  
347 46-5-138.2, whether such employee benefits are purchased directly from a third-party  
348 insurance carrier, funded by the local government's self-funding risk program, or  
349 funded by the local government's participation in a group self-insurance fund. As used  
350 in this paragraph, the term 'employee benefits' means health benefits, disability benefits,  
351 death benefits, accidental death and dismemberment benefits, pension benefits,  
352 retirement benefits, workers' compensation, and such other benefits as the local

353 government may provide. Said term shall also include any post-employment benefits  
354 the local government may provide;

355 (D) The actual cost, according to generally accepted accounting principles, of training  
356 employees hired by the local government solely for the operation and maintenance of  
357 the emergency 9-1-1 system and employees who work as directors as that term is  
358 defined in Code Section 46-5-138.2;

359 (E) Office supplies of the public safety answering points used directly in providing  
360 emergency 9-1-1 system services;

361 (F) The cost of leasing or purchasing a building used as a public safety answering  
362 point. Moneys from the fund shall not be used for the construction or lease of an  
363 emergency 9-1-1 system building until the local government has completed its street  
364 addressing plan;

365 (G) The lease, purchase, or maintenance of computer hardware and software used at  
366 a public safety answering point, including computer-assisted dispatch systems and  
367 automatic vehicle location systems;

368 (H) Supplies directly related to providing emergency 9-1-1 system services, including  
369 the cost of printing emergency 9-1-1 system public education materials; ~~and~~

370 (I) The lease, purchase, or maintenance of logging recorders used at a public safety  
371 answering point to record telephone and radio traffic;

372 (J) The actual cost, according to generally accepted accounting principles, of insurance  
373 purchased by the local government to insure against the risks and liability in the  
374 operation and maintenance of the emergency 9-1-1 system on behalf of the local  
375 government or on behalf of employees hired by the local government solely for the  
376 operation and maintenance of the emergency 9-1-1 system and employees who work  
377 as directors as that term is defined in Code Section 46-5-138.2, whether such insurance  
378 is purchased directly from a third-party insurance carrier, funded by the local  
379 government's self-funding risk program, or funded by the local government's

380 participation in a group self-insurance fund. As used in this division, the term 'cost of  
 381 insurance' shall include, but shall not be limited to, any insurance premiums, unit fees,  
 382 and broker fees paid for insurance obtained by the local government; and

383 (K) The lease, purchase, or maintenance of a mobile communications vehicle and  
 384 equipment, if the primary purpose and designation of such vehicle is to function as a  
 385 backup 9-1-1 system center.

386 ~~(2)(A) In addition to cost recovery as provided in subsection (e) of this Code section,~~  
 387 ~~money~~ Money from the Emergency Telephone System Fund may be used to pay for  
 388 those purposes set forth in subparagraph (B) of this paragraph, if provided that:

389 (i) The local government's 9-1-1 system provides enhanced 9-1-1 service; and

390 (ii) The revenues from the 9-1-1 charges or wireless enhanced 9-1-1 charges in the  
 391 local government's Emergency Telephone System Fund at the end of any fiscal year  
 392 ~~shall be~~ are projected to exceed the cost of providing enhanced 9-1-1 services as  
 393 authorized in subparagraphs (A) through (I) of paragraph (1) of this subsection and  
 394 the cost of providing enhanced 9-1-1 services as authorized in subparagraphs (A)  
 395 through (I) of paragraph (1) of this subsection includes a reserve amount equal to at  
 396 least 10 percent of the previous year's expenditures; and

397 ~~(iii) Funds for such purposes are distributed pursuant to an intergovernmental~~  
 398 ~~agreement between the local governments whose citizens are served by the~~  
 399 ~~emergency 9-1-1 system proportionately by population as determined by the most~~  
 400 ~~recent decennial census published by the United States Bureau of the Census at the~~  
 401 ~~time such agreement is entered into.~~

402 (B) Pursuant to subparagraph (A) of this paragraph, the Emergency Telephone System  
 403 Fund may be used to pay for:

404 ~~(i) The actual cost, according to generally accepted accounting principles, of~~  
 405 ~~insurance purchased by the local government to insure against the risks and liability~~  
 406 ~~in the operation and maintenance of the emergency 9-1-1 system on behalf of the~~



407 local government or on behalf of employees hired by the local government solely for  
408 the operation and maintenance of the emergency 9-1-1 system and employees who  
409 work as directors as that term is defined in Code Section 46-5-138.2, whether such  
410 insurance is purchased directly from a third-party insurance carrier, funded by the  
411 local government's self-funding risk program, or funded by the local government's  
412 participation in a group self-insurance fund. As used in this division, the term 'cost  
413 of insurance' shall include, but shall not be limited to, any insurance premiums, unit  
414 fees, and broker fees paid for insurance obtained by the local government;

415 (ii) ~~The lease, purchase, or maintenance of a mobile communications vehicle and~~  
416 ~~equipment, if the primary purpose and designation of such vehicle is to function as~~  
417 ~~a backup 9-1-1 system center;~~

418 (iii) ~~The allocation of indirect costs associated with supporting the 9-1-1 system~~  
419 ~~center and operations as identified and outlined in an indirect cost allocation plan~~  
420 ~~approved by the local governing authority that is consistent with the costs allocated~~  
421 ~~within the local government to both governmental and business-type activities;~~

422 (iv)(i) The lease, purchase, or maintenance of mobile public safety voice and data  
423 equipment, geo-targeted text messaging alert systems, or towers necessary to carry  
424 out the function of 9-1-1 system operations; and

425 (v)(ii) The lease, purchase, or maintenance of public safety voice and data  
426 communications systems located in the 9-1-1 system facility that further the  
427 legislative intent of providing the highest level of emergency response service on a  
428 local, regional, and state-wide basis, including equipment and associated hardware  
429 and software that support the use of public safety wireless voice and data  
430 communication systems."

431

**SECTION 2-7.**

432 Said part is further amended by adding a new paragraph to subsection (a) and revising  
433 paragraph (1) of subsection (b) and paragraph (4) of subsection (j) of Code Section  
434 46-5-134.2, relating to prepaid wireless 9-1-1 charge, definitions, imposition of fee by  
435 localities, collection and remission of charges, and distribution of funds, as follows:

436 "(.1) 'Authority' means the Georgia Emergency Communications Authority established  
437 pursuant to Code Section 38-3-182."

438 "(b)(1) Counties and municipalities that operate a 9-1-1 public safety answering point,  
439 including counties and municipalities that operate multijurisdictional or regional 9-1-1  
440 systems or have created a joint authority pursuant to Code Section 46-5-138, are  
441 authorized to impose by ordinance or resolution a prepaid wireless 9-1-1 charge in the  
442 amount of \$1.50 per retail transaction; provided, however, that beginning on January 1,  
443 2022, the prepaid wireless 9-1-1 charge shall be \$2.00 per retail transaction. Imposition  
444 of the charge authorized by this Code section by a county or municipality shall be  
445 contingent upon compliance with the requirements of paragraph (1) of subsection (j) of  
446 this Code section."

447 "(4) Funds distributed to a county or municipality pursuant to this Code section shall be  
448 deposited and accounted for in a separate restricted revenue fund known as the  
449 Emergency Telephone System Fund, maintained by the local government pursuant to  
450 paragraph (2) of subsection (d) of Code Section 46-5-134. The commissioner shall  
451 deposit all funds received pursuant to paragraph (2) of subsection (b) of this Code section  
452 into the general fund of the state treasury in compliance with Article 4 of Chapter 12 of  
453 Title 45, the 'Budget Act.' It is the intention of the General Assembly, subject to the  
454 appropriation process, that an amount equal to the amount deposited into the general fund  
455 of the state treasury as provided in this paragraph be appropriated each year to a program  
456 of state grants to counties and municipalities administered by the ~~department~~ authority  
457 for the purpose of supporting the operations of public safety answering points in the

458 improvement of 9-1-1 service delivery. The ~~department~~ authority shall promulgate rules  
459 and regulations for the administration of the 9-1-1 grant program; and"

460 **SECTION 2-8.**

461 Said part is further amended by repealing Code Section 46-5-138.1, relating to guidelines  
462 pertaining to additional charges involving contracts between two or more counties, in its  
463 entirety and designating such Code section as reserved.

464 **SECTION 2-9.**

465 Said part is further amended by revising subsection (b) of Code Section 46-5-138.2, relating  
466 to "Director" defined and training and instruction, as follows:

467 "(b) In addition to any training required under federal or state law, any persons becoming  
468 a director ~~may~~ on or after January 1, 2022, shall enroll in, attend, and complete  
469 satisfactorily a course of training and instruction on the management of public safety  
470 answering points and the establishment and operation of 9-1-1 systems within the first six  
471 months of their employment. Such course of instruction for directors shall be developed  
472 and made available by the center subject to the availability and receipt of funding."

473 **PART III**

474 **SECTION 3-1.**

475 Chapter 8 of Title 35 of the Official Code of Georgia Annotated, relating to employment and  
476 training of peace officers, is amended by revising Code Section 35-8-23, relating to basic  
477 training course for communications officers, certification requirements, duties of council, and  
478 rules and regulations, as follows:

479 "35-8-23.

480 (a) As used in this Code section, the term 'communications officer' means and includes any  
481 person employed or contracted by the state or a local governmental agency to receive,  
482 process, or transmit public safety information and dispatch law enforcement officers,  
483 firefighters, medical personnel, or emergency management personnel.

484 (b) Any person employed on or after July 1, 1995, as a communications officer shall  
485 satisfactorily complete a basic training course approved by the council. Persons who are  
486 employed on July 1, 1994, shall register with the council and may be certified by  
487 voluntarily complying with the certification process. Any person who fails to comply with  
488 the registration or certification process of the council shall not perform any duties of a  
489 communications officer and may have his or her certificate sanctioned or revoked.

490 (c) The council shall conduct administrative compliance reviews with respect to the  
491 requirements of this Code section. The council, in coordination with the Georgia  
492 Emergency Communications Authority, shall be authorized to promulgate rules and  
493 regulations to facilitate the administration and coordination of standards, certification, and  
494 compliance reviews consistent with the provisions of this Code section.

495 (d) On and after July 1, 1998, the basic training course for communications officers shall  
496 include training in ~~the use of telecommunications devices for the deaf (TDD's)~~  
497 communicating effectively with people who are deaf, hard of hearing, or have speech  
498 disabilities, and no person shall on or after that date be certified by the council under this  
499 Code section unless such person has satisfactorily completed such training.

500 (e) By January 1, 2022, the council, in coordination with the Georgia Emergency  
501 Communications Authority, shall establish an amount of continuing education units to be  
502 annually completed by communications officers. On or after January 1, 2023, no person  
503 shall be certified by the council under this Code section unless such person has  
504 satisfactorily completed such training."

505

**SECTION 3-2.**

506 Chapter 60 of Title 36 of the Official Code of Georgia Annotated, relating to general  
507 provisions regarding provisions applicable to counties and municipal corporations, is  
508 amended by revising Code Section 36-60-19, relating to dispatch centers, required training  
509 for communications officers, exceptions, and penalty for noncompliance, as follows:

510 "36-60-19.

511 (a) On and after January 1, 1999, every dispatch center operated by any county or  
512 municipality to receive, process, or transmit public safety information and dispatch law  
513 enforcement officers, firefighters, medical personnel, or emergency management personnel  
514 shall comply with the requirements of this Code section. Each such dispatch center shall  
515 have on duty at all times at least one communications officer who is certified as having  
516 been trained in ~~the use of telecommunications devices for the deaf (TDD's)~~ communicating  
517 effectively with people who are deaf, hard of hearing, or have speech disabilities, as  
518 provided for in subsection (d) of Code Section 35-8-23. However, a dispatch center which  
519 is staffed by ten or fewer communications officers shall be considered in compliance with  
520 this Code section; provided, however, that on and after January 1, 1999, no dispatch center  
521 shall be permitted to employ any additional or replacement communications officers who  
522 are not certified as having been trained in ~~the use of telecommunications devices for the~~  
523 ~~deaf (TDD's)~~ communicating effectively with people who are deaf, hard of hearing, or have  
524 speech disabilities as provided for in subsection (d) of Code Section 35-8-23.

525 (b) On and after January 1, 1999, no monthly 9-1-1 charge provided for in Code Section  
526 46-5-133 may be imposed for the support of any dispatch center unless such dispatch  
527 center is in compliance with the requirements of this Code section."

528

**PART IV**

529

**SECTION 4-1.**

530 In accordance with the requirements of Article III, Section IX, Paragraph VI(r) of the  
531 Constitution of Georgia, this Act shall not become law unless it receives the requisite  
532 two-thirds' majority vote in both the Senate and the House of Representatives and the amount  
533 of the funds dedicated by this Act do not equal or exceed 1 percent of the previous fiscal  
534 year's state revenues subject to appropriations.

535

**SECTION 4-2.**

536 Except as provided for in Section 4-1 of this Act, this Act shall become effective on July 1,  
537 2021.

538

**SECTION 4-3.**

539 All laws and parts of laws in conflict with this Act are repealed.