

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

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FISCAL IMPACT STATEMENT

LS 6984
BILL NUMBER: SB 232

NOTE PREPARED: Mar 5, 2024
BILL AMENDED: Feb 26, 2024

SUBJECT: Statewide 911 System.

FIRST AUTHOR: Sen. Walker K
FIRST SPONSOR: Rep. Barrett

BILL STATUS: Enrolled

FUNDS AFFECTED: **GENERAL**
 DEDICATED
 FEDERAL

IMPACT: State & Local

Summary of Legislation: *References* - This bill removes references to "Enhanced 911 Service". It changes references from the "Enhanced Prepaid Wireless Charge" to the "911 Service Prepaid Wireless Charge". It makes changes to or repeals certain definitions relating to the State 911 System.

False Informing - The bill increases the penalty for false informing if the false report is that a person is dangerous and certain other circumstances exist.

Public Disclosure Exception - The bill provides that information relating to security measures or precautions used to secure the Statewide 911 System may be excepted from public disclosure at the discretion of the Statewide 911 Board.

Service Providers - The bill provides that all originating service providers that provide 911 service for their customers: (1) shall connect to the State 911 System using an industry standard or functional equivalent; and (2) must establish and maintain the connection in accordance with all applicable regulatory requirements requiring service continuity and ensure access to public safety assistance.

The bill provides that an emergency communications center included in the definition of PSAP may not be construed to create an additional PSAP.

The bill makes a technical correction. It also makes conforming amendments.

Effective Date: July 1, 2024.

Explanation of State Expenditures: *Statewide 911 Board:* The bill may increase workload and expenditures to the Statewide 911 Board to the extent the Statewide 911 Board needs to take action to ensure the statewide 911 system and public safety answering points (PSAPs) establish and maintain an adequate security posture for public safety and protection of personal information. The bill's requirements are within the agency's routine administrative functions and should be able to be implemented with no additional appropriations, assuming near customary agency staffing and resource levels.

Penalty Provision: State expenditures could increase if an offender is incarcerated in a state prison rather than in a local jail. However, any expenditure increase is likely to be small. A Level 6 felony is punishable by a prison term ranging between 6 to 30 months, with an advisory sentence of 1 year. A Level 5 felony is punishable by a prison term ranging from 1 to 6 years, with an advisory sentence of 3 years. The period of incarceration will depend upon mitigating and aggravating circumstances. If offenders can be housed in existing facilities with no additional staff, the marginal cost per offender for medical care, food, and clothing is approximately \$4,456 annually, or \$12.21 daily.

Explanation of State Revenues: *Penalty Provision:* This bill increases the penalty for false informing to a Class A misdemeanor if it reports a person is dangerous, substantially hinder any law enforcement process, or results in harm of another person. It is increased to a Level 6 Felony if the false informing reports a person is dangerous and leads to substantially hinder any law enforcement process or results in harm of another person. It is increased to a Level 5 Felony if false informing reports a person is dangerous and leads to serious bodily injury or death. Revenue to the Common School Fund may increase if a person is sentenced for a Class A misdemeanor or a Level 5 or 6 felony rather than for a Class B misdemeanor. The maximum fine for a Class B misdemeanor is \$1,000, while the maximum fine for a Class A misdemeanor is \$5,000 and \$10,000 for all felony levels. However, any additional revenue is likely to be small. Court fees would remain unchanged.

Explanation of Local Expenditures: *Penalty Provision:* The maximum term of imprisonment for a Class B misdemeanor is up to 180 days, while the maximum term for a Class A misdemeanor is up to one year. However, any additional costs to local governments are likely to be small.

Explanation of Local Revenues: *Penalty Provision:* Court fees would remain unchanged.

State Agencies Affected: Statewide 911 Board, Department of Correction.

Local Agencies Affected: Trial courts; local law enforcement agencies.

Information Sources: Indiana Supreme Court, Indiana Trial Court Fee Manual. Statewide 911 Board, *Network Report September 2023-Quarter 3*, https://www.in911.net/uploads/1/2/4/9/124957688/11-indigital_report_23-346_23_q3_in911_board_report_v1.1.pdf.

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