

HOUSE BILL 989

E4

11r2102
CF SB 714

By: **Delegate Krebs**

Introduced and read first time: February 5, 2021

Assigned to: Health and Government Operations

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 7, 2021

CHAPTER _____

1 AN ACT concerning

2 **Public Safety – 9–1–1 Emergency Telephone System – Alterations**

3 FOR the purpose of requiring, under certain circumstances, that certain ~~commercial mobile~~
4 ~~radio service providers and 9–1–1 service carriers~~ providers of a 9–1–1-accessible
5 service provide certain notice to a certain public safety answering point, the
6 Maryland Joint Operations Center, and the Maryland 9–1–1 Board and submit a
7 certain report to the Board; requiring certain providers of a 9–1–1-accessible service
8 to make a certain calculation according to certain federal regulations; requiring the
9 Board and the Center to adopt procedures and implement safeguards to ensure
10 certain information is maintained confidentially; altering the composition of the
11 Board; altering the responsibilities of the Board to include establishing certain
12 training standards related to individual psychological well-being and resilience for
13 public safety answering point personnel; requiring the Board to support certain
14 9–1–1 specialist recruitment activities; requiring the Board to establish certain
15 onboarding standards for newly hired 9–1–1 specialists; altering the purposes of the
16 9–1–1 Trust Fund; prohibiting the Fund from being used for a certain purpose;
17 prohibiting a county from spending certain funds distributed from a certain State
18 9–1–1 fee in a certain manner; requiring the designee of a county or municipality to
19 be responsible for enforcing certain provisions of law relating to the installation and
20 operation of certain multiple-line telephone systems; requiring the Office of the
21 State Fire Marshal to be responsible for enforcing certain provisions of law relating
22 to the installation and operation of certain multiple-line telephone systems under
23 certain circumstances; requiring the terms of certain members of the Board to
24 terminate on a certain date; specifying the terms of certain initial members of the
25 Board; requiring the ~~Behavioral Health Administration in the Maryland~~

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



~~Department of Health~~ University System of Maryland, in consultation with the Workers' Compensation Commission and the Board, to conduct a certain study; requiring the ~~Department~~ University System of Maryland, on or before a certain date, to report its findings and recommendations to the Governor, the Board, the Commission to Advance Next Generation 9–1–1 Across Maryland, and the General Assembly; repealing an obsolete provision of law; making a certain stylistic change; and generally relating to 9–1–1 emergency telephone systems.

BY repealing and reenacting, without amendments,

Article – Public Safety

Section 1–301(a), (c), (d), (l), (m), and (t), 1–305(a), 1–306(a), and 1–308(a)

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)

BY adding to

Article – Public Safety

Section 1–304.3 and 1–306(b)(17)

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,

Article – Public Safety

Section 1–305(b), 1–306(b)(15) and (16) and (e), 1–308(b), 1–309(c), 1–312(a), and 1–314

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the Laws of Maryland read as follows:

Article – Public Safety

1–301.

(a) In this subtitle the following words have the meanings indicated.

(c) “Commercial mobile radio service” or “CMRS” means mobile telecommunications service that is:

(1) provided for profit with the intent of receiving compensation or monetary gain;

(2) an interconnected, two-way voice service; and

(3) available to the public.

(d) “Commercial mobile radio service provider” or “CMRS provider” means a

1 person authorized by the Federal Communications Commission to provide CMRS in the
2 State.

3 (l) “9-1-1-accessible service” means telephone service or another
4 communications service that connects an individual dialing the digits 9-1-1 to an
5 established public safety answering point.

6 (m) (1) “9-1-1 service carrier” means a provider of CMRS or other
7 9-1-1-accessible service.

8 (2) “9-1-1 service carrier” does not include a telephone company.

9 (t) “Public safety answering point” means a communications facility that:

10 (1) is operated on a 24-hour basis;

11 (2) first receives 9-1-1 requests for emergency services in a 9-1-1 service
12 area; and

13 (3) as appropriate:

14 (i) dispatches public safety services directly;

15 (ii) transmits incident data to appropriate public safety agencies
16 within the State for the dispatch of public safety services; or

17 (iii) transfers 9-1-1 requests for emergency services or transmits
18 incident data to:

19 1. an appropriate federal emergency communication center
20 responsible for the delivery of public safety services on a federal campus or federal
21 reservation; or

22 2. an appropriate public safety answering point located
23 within or outside the State.

24 **1-304.3.**

25 **(A) ~~IN SUBJECT TO SUBSECTIONS (B) AND (C) OF THIS SECTION, IN THE~~**
26 **EVENT OF A ~~PARTIAL OR TOTAL SINGLE COUNTY OR MULTICOUNTY~~**
27 **9-1-1-ACCESSIBLE SERVICE OUTAGE LASTING MORE THAN 30 MINUTES AND**
28 **AFFECTING MORE THAN 600,000 USER MINUTES, A ~~CMRS PROVIDER OR 9-1-1~~**
29 **SERVICE-CARRIER PROVIDER OF A 9-1-1-ACCESSIBLE SERVICE, OTHER THAN A**
30 **RESELLER, SHALL:**

31 (1) AS SOON AS PRACTICABLE, NOTIFY ANY AFFECTED PUBLIC

1 SAFETY ANSWERING POINT AND THE MARYLAND JOINT OPERATIONS CENTER OF
 2 THE 9-1-1-ACCESSIBLE SERVICE OUTAGE OCCURRING ON THE PROVIDER'S ~~OR~~
 3 ~~CARRIER'S NETWORK; AND~~

4 (2) IN ADVANCE OF THE NEXT SCHEDULED MEETING OF THE BOARD,
 5 NOTIFY THE BOARD OF ANY 9-1-1-ACCESSIBLE SERVICE OUTAGE OCCURRING ON
 6 THE PROVIDER'S ~~OR CARRIER'S NETWORK; AND~~

7 (3) AT THE NEXT SCHEDULED MEETING OF THE BOARD, SUBMIT TO
 8 THE BOARD A REPORT DETAILING THE 9-1-1-ACCESSIBLE SERVICE OUTAGE
 9 OCCURRING ON THE PROVIDER'S NETWORK.

10 (B) A PROVIDER OF A 9-1-1-ACCESSIBLE SERVICE SHALL CALCULATE USER
 11 MINUTES UNDER THIS SECTION IN ACCORDANCE WITH THE APPLICABLE
 12 REGULATIONS OF THE FEDERAL COMMUNICATIONS COMMISSION.

13 (C) THE BOARD AND THE MARYLAND JOINT OPERATIONS CENTER SHALL
 14 ADOPT PROCEDURES AND IMPLEMENT SAFEGUARDS TO ENSURE THAT SENSITIVE
 15 INFORMATION SUBMITTED BY A PROVIDER OF A 9-1-1-ACCESSIBLE SERVICE UNDER
 16 THIS SECTION IS MAINTAINED CONFIDENTIALLY.

17 1-305.

18 (a) There is a Maryland 9-1-1 Board in the Department of Public Safety and
 19 Correctional Services.

20 (b) (1) The Board consists of [17] 24 members.

21 (2) Of the [17] 24 members:

22 (i) one NONVOTING member shall represent a telephone company
 23 operating in the State;

24 (ii) one NONVOTING member shall represent the wireless telephone
 25 industry in the State;

26 (III) ONE NONVOTING MEMBER SHALL REPRESENT THE
 27 MARYLAND EMERGENCY MANAGEMENT AGENCY;

28 [(iii)] (IV) one member shall represent the Maryland Institute for
 29 Emergency Medical Services Systems;

30 [(iv)] (V) one member shall represent the Department of State
 31 Police;

1 [(v)] (VI) one member shall represent the Public Service
2 Commission;

3 [(vi)] (VII) one member shall represent the Association of
4 Public-Safety Communications Officials International, Inc.;

5 [(vii)] (VIII) two members shall represent county fire services in the
6 State, with one member representing career fire services and one member representing
7 volunteer fire services;

8 [(viii)] (IX) one member shall represent [police services] LAW
9 ENFORCEMENT in the State;

10 [(ix)] (X) [two members] ONE MEMBER shall represent emergency
11 management services in the State;

12 [(x) one member shall represent a county with a population of
13 200,000 or more;

14 (xi) one member shall represent a county with a population of less
15 than 200,000;]

16 (XI) ONE MEMBER SHALL REPRESENT 9-1-1 SPECIALISTS;

17 (XII) ONE MEMBER SHALL BE APPOINTED BY THE SECRETARY OF
18 DISABILITIES AND REPRESENT INDIVIDUALS WITH ACCESSIBILITY NEEDS;

19 (XIII) ONE MEMBER SHALL REPRESENT THE EMERGENCY
20 COMMUNICATIONS COMMITTEE OF THE MARYLAND ASSOCIATION OF COUNTIES;

21 (XIV) ONE MEMBER SHALL REPRESENT DIRECTORS OF PUBLIC
22 SAFETY ANSWERING POINTS FOR ALLEGANY COUNTY, GARRETT COUNTY, AND
23 WASHINGTON COUNTY;

24 (XV) ONE MEMBER SHALL REPRESENT DIRECTORS OF PUBLIC
25 SAFETY ANSWERING POINTS FOR CALVERT COUNTY, CHARLES COUNTY,
26 FREDERICK COUNTY, MONTGOMERY COUNTY, PRINCE GEORGE'S COUNTY, AND
27 ST. MARY'S COUNTY;

28 (XVI) ONE MEMBER SHALL REPRESENT DIRECTORS OF PUBLIC
29 SAFETY ANSWERING POINTS FOR ANNE ARUNDEL COUNTY, BALTIMORE CITY,
30 BALTIMORE COUNTY, CARROLL COUNTY, HARFORD COUNTY, AND HOWARD
31 COUNTY;

32 (XVII) ONE MEMBER SHALL REPRESENT DIRECTORS OF PUBLIC

1 SAFETY ANSWERING POINTS FOR CAROLINE COUNTY, CECIL COUNTY,
2 DORCHESTER COUNTY, KENT COUNTY, QUEEN ANNE'S COUNTY, SOMERSET
3 COUNTY, TALBOT COUNTY, WICOMICO COUNTY, AND WORCESTER COUNTY;

4 (XVIII) ONE MEMBER SHALL REPRESENT THE
5 CYBERSECURITY SYSTEMS IN THE STATE, PARTICULARLY IN THE FIELD OF
6 EMERGENCY COMMUNICATION NETWORKS;

7 (XIX) ONE MEMBER SHALL REPRESENT A COUNTY FINANCE
8 OFFICE IN THE STATE AND BE RECOMMENDED BY THE MARYLAND ASSOCIATION OF
9 COUNTIES;

10 [(xii)] (XX) one member shall represent the Maryland chapter of the
11 National Emergency Numbers Association;

12 [(xiii)] (XXI) one member shall represent the geographical information
13 systems in the State; and

14 [(xiv)] (XXII) two members shall represent the public.

15 (3) The Governor shall appoint the members with the advice and consent
16 of the Senate.

17 1-306.

18 (a) The Board shall coordinate the enhancement of county 9-1-1 systems.

19 (b) The Board's responsibilities include:

20 (15) establishing training standards for public safety answering point
21 personnel based on national best practices, including training concerning Next Generation
22 9-1-1 topics AND INDIVIDUAL PSYCHOLOGICAL WELL-BEING AND RESILIENCE; [and]

23 (16) establishing minimum standards for cybersecurity, oversight, and
24 accountability of service level agreements between counties and core service providers of
25 Next Generation 9-1-1 services; AND

26 (17) SUPPORTING 9-1-1 SPECIALIST RECRUITMENT ACTIVITIES
27 CONSISTING OF:

28 (I) A DATABASE THAT OFFERS INFORMATION ON
29 RECRUITMENT GUIDANCE, BEST PRACTICES, AND STRATEGIES;

30 (II) RECRUITMENT PROJECTS; AND

1 **(III) A WEBSITE THAT CONTAINS LINKS TO JOB OPPORTUNITIES**
2 **THROUGHOUT THE STATE FOR 9-1-1 SPECIALISTS.**

3 (e) (1) The standards established by the Board under subsection (b)(15) of this
4 section shall include **ONBOARDING STANDARDS FOR NEWLY HIRED 9-1-1**
5 **SPECIALISTS AND** minimum continuing education standards for 9-1-1 specialists.

6 (2) (i) At least once each year, the Board shall provide for an audit of
7 each public safety answering point in order to ensure that 9-1-1 specialists and other
8 personnel employed by the public safety answering point have satisfied the training
9 requirements established in accordance with subsection (b)(15) of this section.

10 (ii) The audit described under subparagraph (i) of this paragraph
11 may be conducted concurrently with an inspection of the public safety answering point in
12 accordance with subsection (b)(10) of this section.

13 1-308.

14 (a) There is a 9-1-1 Trust Fund.

15 (b) (1) Except as provided in paragraph (2) of this subsection and subject to §
16 1-309.1 of this subtitle, the purposes of the 9-1-1 Trust Fund are to:

17 (i) reimburse counties for the cost of enhancing a 9-1-1 system;

18 (ii) pay contractors in accordance with § 1-306(b)(12) of this subtitle; and

19 (iii) fund the coordinator position and staff to handle the increased duties
20 related to wireless enhanced 9-1-1 service under § 1-305 of this subtitle, as an
21 administrative cost.

22 (2) Subject to paragraph (3) of this subsection [and beginning January 1,
23 2020], in addition to the purposes described under paragraph (1) of this subsection, the
24 purposes of the 9-1-1 Trust Fund include **FUNDING**:

25 (i) **[funding]** the operation and maintenance of 9-1-1 systems,
26 enhanced 9-1-1 systems, and Next Generation 9-1-1 services, including:

27 1. equipment and software utilized directly for providing
28 9-1-1 services by a public safety answering point;

29 2. protocol systems and software utilized directly for
30 providing 9-1-1 services by a public safety answering point;

31 3. interpretation services provided for a public safety
32 answering point;

1 4. services provided for a public safety answering point to
2 ensure improved access to individuals with disabilities and other individuals who use
3 assistive technology; and

4 5. voice, data, and call log recorders utilized to capture
5 information from 9-1-1 systems, enhanced 9-1-1 systems, and Next Generation 9-1-1
6 services;

7 (ii) [funding] the operation and maintenance of 9-1-1 systems,
8 enhanced 9-1-1 systems, and Next Generation 9-1-1 services connectivity and
9 infrastructure equipment, including:

10 1. automatic number and location identification; and

11 2. Primary Rate Interface and Session Initiation Protocol
12 trunking for 10-digit emergency and nonemergency lines;

13 (iii) [funding] geographical information systems hardware, software,
14 data development, and data management costs incurred for the effective operation of
15 9-1-1 systems, enhanced 9-1-1 systems, and Next Generation 9-1-1 services, including:

16 1. mapping equipment;

17 2. interfaces to computer-aided dispatch; and

18 3. geographical information systems base layer development
19 and management;

20 (iv) [funding] public safety answering point facilities costs, including
21 access control, security systems, and standby power;

22 (v) [funding] costs for public education materials;

23 (vi) [funding] the training of county personnel working in or directly
24 supporting a public safety answering point;

25 (vii) [funding] the provision of tuition reimbursement for 9-1-1
26 specialists for educational programs related to the 9-1-1 specialist career field; [and]

27 (viii) [funding] costs to maintain the cybersecurity of 9-1-1 systems,
28 enhanced 9-1-1 systems, and Next Generation 9-1-1 services; **AND**

29 **(IX) COSTS OF 9-1-1 SPECIALIST RECRUITMENT ACTIVITIES AS**
30 **DESCRIBED IN § 1-306(B)(17) OF THIS SUBTITLE.**

1 (3) Funding allocated in accordance with paragraph (2) of this subsection
2 may not be utilized for:

3 (I) the payment of the salary of public safety answering point
4 personnel or county personnel; **OR**

5 (II) **ANY PURPOSE ASSOCIATED WITH THE 9-8-8 SUICIDE**
6 **PREVENTION HOTLINE.**

7 1-309.

8 (c) (1) Money accruing to the 9-1-1 Trust Fund may be used as provided in
9 this subsection.

10 (2) Money collected from the State 9-1-1 fee may be used only to:

11 (i) pay the administrative costs chargeable to the 9-1-1 Trust Fund;

12 (ii) reimburse counties for the cost of enhancing a 9-1-1 system;

13 (iii) pay contractors in accordance with § 1-306(b)(12) of this subtitle;

14 and

15 (iv) pay the costs associated with maintenance, operations, and
16 programs approved by the Board in accordance with § 1-308(b) of this subtitle.

17 (3) Money collected from the county 9-1-1 fee may be used by the counties
18 only for the maintenance and operation costs of the 9-1-1 system.

19 (4) Money collected from the prepaid wireless E 9-1-1 fee shall be used as
20 follows:

21 (i) 25% for the same purpose as the 9-1-1 fee under paragraph (2)
22 of this subsection; and

23 (ii) 75% for the same purpose as the county 9-1-1 fee under
24 paragraph (3) of this subsection, prorated on the basis of the total fees collected in each
25 county.

26 (5) Money accruing to the 9-1-1 Trust Fund may not be used for:

27 (I) the maintenance or operation of communications centers other
28 than public safety answering points; **OR**

29 (II) **ANY PURPOSE ASSOCIATED WITH THE 9-8-8 SUICIDE**
30 **PREVENTION HOTLINE.**

1 1-312.

2 (a) (1) During each county's fiscal year, the county may spend the amounts
3 distributed to it from State 9-1-1 fee collections for the installation, enhancement,
4 maintenance, and operation of a county or multicounty 9-1-1 system.

5 (2) **A COUNTY MAY NOT SPEND THE AMOUNTS DISTRIBUTED TO IT**
6 **FROM STATE 9-1-1 FEE COLLECTIONS FOR ANY PURPOSE ASSOCIATED WITH**
7 **THE 9-8-8 SUICIDE PREVENTION HOTLINE.**

8 1-314.

9 (a) In this section, "multiple-line telephone system" means a system that:

10 (1) consists of common control units, telephone sets, control hardware and
11 software, and adjunct systems, including network and premises-based systems; and

12 (2) is designed to aggregate more than one incoming voice communication
13 channel for use by more than one telephone.

14 (b) (1) Except as provided in paragraph (2) of this subsection, a person that
15 installs or operates a multiple-line telephone system shall ensure that the system is
16 connected to the public switched telephone network in such a way that when an individual
17 using the system dials 9-1-1, the call connects to the public safety answering point without
18 requiring the user to dial any other number or set of numbers.

19 (2) A unit of the Executive Branch of State government shall comply with
20 paragraph (1) of this subsection on the date that the multiple-line telephone system of the
21 unit is next upgraded.

22 (c) (1) Notwithstanding any other provision of this subtitle **AND EXCEPT AS**
23 **PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION**, a [county] COUNTY'S or
24 [municipality] MUNICIPALITY'S DESIGNEE shall be responsible for enforcing subsection
25 (b) of this section.

26 (2) **IN THE ABSENCE OF A COUNTY- OR MUNICIPALITY-DESIGNATED**
27 **ENFORCEMENT UNIT, THE OFFICE OF THE STATE FIRE MARSHAL, INCLUDING THE**
28 **STATE FIRE MARSHAL, AN ASSISTANT STATE FIRE MARSHAL, OR A SPECIAL**
29 **ASSISTANT STATE FIRE MARSHAL, SHALL BE RESPONSIBLE FOR ENFORCING**
30 **SUBSECTION (B) OF THIS SECTION.**

31 (d) (1) Each county or municipality may set a fine or series of fines to be issued
32 to a person that violates subsection (b) of this section.

33 (2) Revenue collected under paragraph (1) of this subsection shall be

1 returned to the county or municipality taking the enforcement action.

2 (e) When a county submits a request for disbursements from the 9–1–1 Trust
3 Fund in accordance with § 1–309 of this subtitle, the county shall submit to the Board a
4 certification of the enforcement actions taken by the county under this section.

5 SECTION 2. AND BE IT FURTHER ENACTED, That, to implement the change in
6 composition of the Maryland 9–1–1 Board under § 1–305(b)(2) of the Public Safety Article,
7 as enacted by Section 1 of this Act:

8 (1) the terms of the members representing the emergency management
9 services in the State serving on the Maryland 9–1–1 Board before the effective date of this
10 Act shall terminate June 1, 2021; and

11 (2) the Governor may reappoint a member of the Maryland 9–1–1 Board
12 who served before the effective date of this Act in order to ensure a level of continuity within
13 the membership of the Board.

14 SECTION 3. AND BE IT FURTHER ENACTED, That the terms of the 11 initial
15 members of the Maryland 9–1–1 Board provided for in § 1–305(b)(2) of the Public Safety
16 Article, as enacted by Section 1 of this Act, shall expire as follows:

17 (1) two members in 2021;

18 (2) three members in 2022;

19 (3) three members in 2023; and

20 (4) three members in 2024.

21 SECTION 4. AND BE IT FURTHER ENACTED, That:

22 (a) (1) ~~The Behavioral Health Administration in the Maryland Department of~~
23 ~~Health~~ University System of Maryland, in consultation with the State Workers'
24 Compensation Commission and the Maryland 9–1–1 Board, shall study the State's workers'
25 compensation laws and the effects of job-related audible or visual trauma experienced by
26 9–1–1 specialists, as defined in § 1–301 of the Public Safety Article, for the purpose of
27 determining:

28 (i) whether audible or visual trauma, including trauma incurred
29 through Next Generation 9–1–1 services, as defined in § 1–301 of the Public Safety Article,
30 culminates in impaired mental wellness, emotional awareness, or cognitive function; and

31 (ii) whether the State's workers' compensation laws should be
32 amended for the purpose of establishing benefit eligibility for 9–1–1 specialists who have
33 been directly or indirectly exposed to job-related audible or visual trauma.

1 (2) The study shall include a survey of the workers' compensation laws of
2 other states and a review of policy recommendations by advocacy groups with relevant
3 subject matter expertise.

4 (b) On or before August 1, 2021, the ~~Behavioral Health Administration~~ University
5 System of Maryland shall submit a report on its findings and recommendations to the
6 Governor, the Maryland 9-1-1 Board, the Commission to Advance Next Generation 9-1-1
7 Across Maryland, and, in accordance with § 2-1257 of the State Government Article, the
8 General Assembly.

9 SECTION 5. AND BE IT FURTHER ENACTED, That this Act shall take effect June
10 1, 2021.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.