

SENATE
STATE OF MINNESOTA
NINETY-SECOND SESSION

S.F. No. 3785

(SENATE AUTHORS: INGEBRIGTSEN)

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OFFICIAL STATUS
Introduction and first reading
Referred to State Government Finance and Policy and Elections

1.1 A bill for an act
1.2 relating to public safety; modifying provisions related to 911 emergency
1.3 communication services; appropriating money; amending Minnesota Statutes 2020,
1.4 sections 403.02, as amended; 403.025; 403.03, subdivisions 2, 4; 403.05; 403.06;
1.5 403.07, as amended; 403.08; 403.09, subdivision 2; 403.10; 403.11, as amended;
1.6 403.113; 403.15; repealing Minnesota Statutes 2020, section 403.09, subdivision
1.7 3.

1.8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.9 Section 1. Minnesota Statutes 2020, section 403.02, as amended by Laws 2021, First
1.10 Special Session chapter 11, article 2, section 21, is amended to read:

1.11 **403.02 DEFINITIONS.**

1.12 Subdivision 1. **Scope.** For the purposes of this chapter, the terms defined in this section
1.13 have the meanings given them.

1.14 Subd. 7. **Automatic location identification.** "Automatic location identification" means
1.15 the process of electronically identifying and displaying ~~the name of the subscriber and the~~
1.16 ~~location~~, where available, ~~of the calling telephone number~~ the name of the subscriber, the
1.17 communications device's current location, and the callback number to a person public safety
1.18 telecommunicator answering a 911 emergency call.

1.19 Subd. 9a. **Callback number.** "Callback number" means a telephone number or
1.20 functionally equivalent Internet address or device identification number used by the public
1.21 safety answering point to ~~recontact~~ contact the ~~location~~ device from which the 911 call was
1.22 placed.

1.23 Subd. 10. **Commissioner.** "Commissioner" means the commissioner of public safety.

2.1 Subd. 10a. **Cybersecurity.** "Cybersecurity" means the prevention of damage to,
2.2 unauthorized use of, exploitation of, and, if needed, the restoration of, electronic information
2.3 and communications systems and services and the information contained therein to ensure
2.4 confidentiality, integrity, and availability.

2.5 Subd. 10b. **Emergency Communications Network Service Provider**
2.6 (**ECNSP**). "Emergency Communications Network Service Provider" or "ECNSP" means
2.7 a service provider, determined by the commissioner to be capable of providing effective
2.8 and efficient components of the 911 network or its management that provides or manages
2.9 all or portions of the statewide 911 emergency communications network. The ECNSP is
2.10 the entity or entities that the state contracts with to provide facilities and services associated
2.11 with operating and maintaining the Minnesota statewide 911 network.

2.12 Subd. 11a. **Emergency location identification number.** "Emergency location
2.13 identification number" means a valid North American numbering plan format telephone
2.14 number, assigned to the multiline telephone system operator by the appropriate authority,
2.15 that is used to route the call to a public safety answering point and is used to retrieve the
2.16 automatic location identification for the public safety answering point.

2.17 Subd. 11b. **Emergency response location.** "Emergency response location" means a
2.18 location to which a 911 ~~emergency response team~~ services may be dispatched. The location
2.19 must be specific enough to provide a reasonable opportunity for ~~the emergency response~~
2.20 ~~team to locate~~ a caller to be located anywhere within it.

2.21 Subd. 11c. **Emergency services.** "Emergency services" includes but is not limited to
2.22 firefighting, police, ambulance, medical, or other mobile services dispatched, monitored,
2.23 or controlled by a public safety answering point.

2.24 Subd. 11d. **Emergency Services Internet (ESInet).** "Emergency Services Internet" or
2.25 "ESInet" means an Internet protocol-based and multipurpose network supporting local,
2.26 regional, and national public safety communications services in addition to 911 services.
2.27 The ESInet is comprised of three network components, including ingress network, next
2.28 generation core services, and egress network.

2.29 Subd. 13. **Enhanced 911 service.** "Enhanced 911 service" means the use of automatic
2.30 location identification or local location identification as part of local 911 service provided
2.31 by an enhanced 911 system consisting of a common 911 network and database and customer
2.32 data and network components connecting to the common 911 network and database.

3.1 Subd. 13a. **Geographical Information System (GIS).** "Geographical Information
3.2 System" or "GIS" means a system for capturing, storing, displaying, analyzing, and managing
3.3 data and associated attributes that are spatially referenced.

3.4 Subd. 14. **Governmental agency.** "Governmental agency" means any unit of local
3.5 government or special purpose district located in whole or in part within this state that
3.6 provides or has authority to provide firefighting, police, ambulance, medical, or other
3.7 emergency services.

3.8 Subd. 14a. **Internet protocol (IP).** "Internet protocol" or "IP" means the method by
3.9 which data are sent from one computer to another on the Internet or other networks.

3.10 Subd. 16. **Metropolitan area.** "Metropolitan area" means the counties of Anoka, Carver,
3.11 Chisago, Dakota, Hennepin, Isanti, Ramsey, Scott, Sherburne, and Washington.

3.12 Subd. 16a. **Multiline telephone system (MLTS).** "Multiline telephone system" or
3.13 "MLTS" means a ~~private telephone~~ system comprised of common control units, ~~telephones,~~
3.14 ~~telephone sets;~~ and control hardware ~~and,~~ software ~~that share a common interface to the~~
3.15 ~~public switched telephone network,~~ and adjunct systems used to support the capabilities
3.16 outlined in this chapter. This includes network and premises-based systems such as Centrex,
3.17 VoIP, PBX, Hybrid, and Key Telephone Systems, as classified by the Federal
3.18 Communications Commission requirements under Code of Federal Regulations, title 47,
3.19 part 68, and systems owned or leased by governmental agencies ~~and,~~ nonprofit entities, as
3.20 well as ~~and~~ for-profit businesses.

3.21 Subd. 16b. **Next generation core services (NGCS).** "Next generation core services" or
3.22 "NGCS" means the base set of services needed to process a 911 call on an ESInet. These
3.23 services include, but are not limited to, the Emergency Services Routing Proxy, Emergency
3.24 Call Routing Function, Location Validation Function, Border Control Function, Bridge,
3.25 Policy Store, Logging Services, and typical IP services such as DNS and DHCP. Next
3.26 generation core services includes only the services and not the network on which they
3.27 operate.

3.28 Subd. 16c. **Next generation 911 (NG911).** "Next generation 911" or "NG911" means
3.29 an Internet protocol-based system comprised of managed Emergency Services IP networks,
3.30 functional elements and applications, and databases that replicate the traditional E911
3.31 features and functions and that also provides additional capabilities based on industry
3.32 standards. NG911 is designed to provide access to emergency services from all connected
3.33 communications services and provide multimedia data capabilities for public safety answering
3.34 points and other emergency services organizations.

4.1 Subd. 16d. **911 call.** "911 call" means any form of communication requesting any type
 4.2 of emergency services by contacting a public safety answering point, including voice or
 4.3 nonvoice communications, as well as transmission of any analog or digital data. 911 call
 4.4 includes a voice call, video call, text message, or data-only call.

4.5 Subd. 16e. **911 network.** "911 network" means:

4.6 (1) a legacy telecommunications network that supports basic and enhanced 911 service;

4.7 or

4.8 (2) the ESInet that is used for 911 calls that can be shared by all public safety answering
 4.9 points and that provides the IP transport infrastructure upon which independent public safety
 4.10 application platforms and core functional processes can be deployed, including but not
 4.11 limited to those necessary for providing next generation 911 service capability.

4.12 A network may be constructed from a mix of dedicated and shared facilities and may be
 4.13 interconnected at local, regional, state, national, and international levels.

4.14 Subd. 16f. **911 system.** "911 system" means a coordinated system of technologies,
 4.15 networks, hardware, and software applications that a public safety answering point must
 4.16 procure and maintain in order to connect to the state 911 network and provide 911 services.

4.17 Subd. 16g. **Originating service provider (OSP).** "Originating service provider" or
 4.18 "OSP" means an entity that provides the capability for customers to originate 911 calls to
 4.19 public safety answering points, including wire-line communications service providers, Voice
 4.20 over Internet Protocol service providers, and wireless communications service providers.

4.21 Subd. 17. **911 service.** "911 service" means a telecommunications service that
 4.22 automatically connects a person dialing the digits 911 to an established public safety
 4.23 answering point. 911 service includes:

4.24 (1) customer data and network components connecting to the common 911 network and
 4.25 database;

4.26 (2) common 911 network and database equipment, as appropriate, for automatically
 4.27 selectively routing 911 calls to the public safety answering point serving the caller's
 4.28 jurisdiction; and

4.29 (3) provision of automatic location identification if the public safety answering point
 4.30 has the capability of providing that service. the emergency response service a public safety
 4.31 answering point provides as a result of processing 911 calls through its 911 system.

5.1 ~~Subd. 17a. **911 emergency telecommunications service provider.** "911 emergency~~
 5.2 ~~telecommunications service provider" means a telecommunications service provider or~~
 5.3 ~~other entity, determined by the commissioner to be capable of providing effective and~~
 5.4 ~~efficient components of the 911 system, that provides all or portions of the network and~~
 5.5 ~~database for automatically selectively routing 911 calls to the public safety answering point~~
 5.6 ~~servicing the caller's jurisdiction.~~

5.7 Subd. 17b. **Prepaid wireless telecommunications service.** "Prepaid wireless
 5.8 telecommunications service" means a wireless telecommunications service that allows the
 5.9 caller to dial 911 to access the 911 ~~system~~ network, which service must be paid for in
 5.10 advance and is:

5.11 (1) sold in predetermined units or dollars of which the number declines with use in a
 5.12 known amount; or

5.13 (2) provides unlimited use for a predetermined time period.

5.14 The inclusion of nontelecommunications services, including the download of digital
 5.15 products delivered electronically, content, and ancillary services, with a prepaid wireless
 5.16 telecommunications service does not preclude that service from being considered a prepaid
 5.17 wireless telecommunications service under this chapter.

5.18 Subd. 17c. **911 Public safety telecommunicator.** "911 Public safety telecommunicator"
 5.19 means a person employed by a public safety answering point, an emergency medical dispatch
 5.20 service provider, or both, who is qualified to answer incoming emergency telephone calls,
 5.21 text messages, and computer notifications or provide for the appropriate emergency response
 5.22 either directly or through communication with the appropriate public safety answering point.

5.23 Subd. 17d. **Point of interconnection (POI).** "Point of interconnection" or "POI" means
 5.24 the location or locations within the 911 network where OSPs deliver 911 calls on behalf of
 5.25 their users or subscribers for delivery to the appropriate public service answering point.

5.26 Subd. 18. **Public safety agency.** "Public safety agency" means ~~a functional division of~~
 5.27 ~~a public agency which provides firefighting, police, medical, or other emergency services,~~
 5.28 ~~or a private entity which provides emergency medical or ambulance services~~ an agency that
 5.29 provides emergency services to the public.

5.30 Subd. 19. **Public safety answering point.** "Public safety answering point" or "PSAP"
 5.31 means a governmental agency operating a 24-hour communications facility ~~operated on a~~
 5.32 ~~24-hour basis which~~ that first receives 911 and other emergency calls from persons in a 911
 5.33 service area and which may, as appropriate, central station notifications, text messages, and

6.1 computer notifications and directly dispatch public safety dispatches emergency response
 6.2 services or extend, transfer, or relay 911 calls relays communications to appropriate public
 6.3 safety agencies according to a specific operational policy.

6.4 Subd. 19a. **Secondary public safety answering point.** "Secondary public safety
 6.5 answering point" means a communications facility that: ~~(1) is operated on a 24-hour basis,~~
 6.6 ~~in which a minimum of three public safety answering points (PSAPs) route calls for~~
 6.7 ~~postdispatch or prearrival instructions; (2) receives calls directly from medical facilities to~~
 6.8 ~~reduce call volume at the PSAPs; and (3) is able to receive 911 calls routed to it from a~~
 6.9 ~~PSAP when the PSAP is unable to receive or answer 911 calls~~ receives calls transferred
 6.10 from a public safety answering point and is connected to the 911 network.

6.11 Subd. 19b. **Shared residential multiline telephone system service.** "Shared residential
 6.12 multiline telephone service" means the use of a multiline telephone system to provide service
 6.13 to residential facilities. For purposes of this subdivision, "residential facilities" means both
 6.14 single-family and multifamily facilities including extended care facilities and dormitories.

6.15 Subd. 19c. **Public Utilities Commission (PUC).** "Public Utilities Commission" or
 6.16 "PUC" means the Minnesota state commission defined in section 216A.03.

6.17 Subd. 19d. **Regional board.** "Regional board" means one of the seven emergency
 6.18 services and emergency communications boards in this state.

6.19 Subd. 19e. **Service user.** "Service user" means any person who initiates a 911 call to
 6.20 receive emergency services.

6.21 Subd. 19f. **Voice over Internet Protocol (VoIP) service provider.** "Voice over Internet
 6.22 Protocol service provider" or "VoIP service provider" means an entity that provides distinct
 6.23 packetized voice information in a digital format using the Internet protocol directly or
 6.24 through a third party, marketed or sold as telephone service interconnected with the PSTN,
 6.25 including both facilities-based service providers and resellers of such services.

6.26 Subd. 20. **Wire-line telecommunications communications service provider.** "Wire-line
 6.27 ~~telecommunications~~ communications service provider" means a person, firm, association,
 6.28 corporation, or other legal entity, however organized, or combination of them, authorized
 6.29 by state or federal regulatory agencies to furnish ~~telecommunications~~ communications
 6.30 service, including local service, over wire-line facilities.

6.31 Subd. 20a. **Wireless telecommunications communications service.** "Wireless
 6.32 ~~telecommunications~~ communications service" means a commercial mobile radio service,
 6.33 as that term is defined in United States Code, title 47, section 332, subsection (d), including

7.1 all broadband personal communication services, wireless radio telephone services, and
 7.2 geographic area specialized mobile radio licensees, that offer real-time, two-way voice
 7.3 service interconnected with the public switched telephone network.

7.4 Subd. 21. **Wireless ~~telecommunications~~ communications service provider.** "Wireless
 7.5 ~~telecommunications~~ communications service provider" means a provider of wireless
 7.6 ~~telecommunications~~ communications service.

7.7 Sec. 2. Minnesota Statutes 2020, section 403.025, is amended to read:

7.8 **403.025 911 EMERGENCY ~~TELECOMMUNICATIONS~~ COMMUNICATIONS**
 7.9 **SYSTEM AND SERVICES REQUIRED.**

7.10 ~~Subdivision 1. **General requirement.** Each county shall operate and maintain a 911~~
 7.11 ~~emergency telecommunications system.~~

7.12 Subd. 1a. **Emergency telephone number 911.** The digits 911, so designated by the
 7.13 Federal Communications Commission, must be the primary emergency telephone number
 7.14 within the ~~system~~ 911 network. A public safety agency may maintain a separate secondary
 7.15 backup number for emergency calls and ~~shall~~ must maintain a separate number for
 7.16 nonemergency telephone calls.

7.17 Subd. 1b. **State requirements.** The commissioner must establish, maintain, and make
 7.18 available to all counties a statewide interoperable ESInet backbone 911 network that ensures
 7.19 interoperability between all public safety answering points connected to the network and
 7.20 meets the requirements of counties operating 911 systems that have an approved update to
 7.21 their 911 plans.

7.22 Subd. 1c. **Contractual requirements.** (a) The commissioner must contract with one or
 7.23 more ECNSPs to deliver the 911 network.

7.24 (b) The contract language or subsequent amendments to the contracts between the parties
 7.25 must contain provisions on how the 911 call routing and location validation data provided
 7.26 by the counties will be utilized by the ECNSPs, including how data coordination and quality
 7.27 assurance with the counties will be conducted.

7.28 (c) The contract language or subsequent amendments to contracts between the parties
 7.29 must contain provisions for resolving disputes.

7.30 (d) All data required under this chapter or Minnesota Rules, chapter 7580, to route 911
 7.31 calls, provide caller location, or to validate possible 911 caller location information that is
 7.32 utilized or intended to be utilized by the 911 system must be provided by the counties and

8.1 the state without cost and may be utilized by ECNSPs and OSPs for purposes of performing
 8.2 location data quality assurance, ensuring 911 system performance and statutory compliance.
 8.3 Use of the data is governed by section 403.07 and Minnesota Rules, chapter 7580.

8.4 Subd. 1d. **Intergovernmental agreements.** Intergovernmental agreements may be
 8.5 implemented between the commissioner and counties or regional boards to support 911
 8.6 system plan changes, communicate the network design, and specify cybersecurity standards.
 8.7 The commissioner must develop the master agreement in collaboration with the governmental
 8.8 entity.

8.9 Subd. 1e. **County requirements.** (a) Each county must operate and maintain a 911
 8.10 system and provide 911 services.

8.11 (b) Each county is responsible for creating and maintaining a master street address guide
 8.12 and Geographical Information Systems data necessary to support accurate 911 call routing
 8.13 and location validation required to support the 911 network.

8.14 Subd. 1f. **911 plans.** Each participating county, federal, Tribal, or other organization
 8.15 must maintain and update a 911 plan that accurately documents current operations and 911
 8.16 system configurations within the public safety answering point in accordance with Minnesota
 8.17 Rules, chapter 7580. The commissioner must review 911 system plans for compliance with
 8.18 911 network and cybersecurity standards required under Minnesota Rules, chapter 7580.

8.19 Subd. 1g. **Secondary public safety answering point requirements.** Secondary public
 8.20 safety answering points may be required to engage in agreements with the commissioner
 8.21 regarding network design standards, cybersecurity standards, and 911 fee audits.

8.22 Subd. 2. **Multijurisdictional system.** The 911 network, 911 services, and 911 systems
 8.23 may be multijurisdictional and regional in character provided that design and implementation
 8.24 are preceded by cooperative planning on a county-by-county basis with local public safety
 8.25 agencies. An intergovernmental agreement must be in place between the participating
 8.26 government entities in a multijurisdictional or regional system, and the commissioner must
 8.27 be notified of the 911 plan change in accordance with Minnesota Rules, chapter 7580.

8.28 Subd. 3. **Connected telecommunications originating service provider**
 8.29 **requirements.** Every owner and operator of a wire-line or wireless circuit switched or
 8.30 packet-based telecommunications system connected to the public-switched telephone network
 8.31 shall design and maintain the system to dial the 911 number without charge to the caller.
 8.32 Every OSP must allow Minnesota customers to access 911 without charge and deliver the
 8.33 request for emergency assistance to the Minnesota ESInet at a state-designated POI and

9.1 provide caller location information unless there are circumstances beyond the control of
 9.2 the provider to define a valid caller address, geographic location, or primary place of address.

9.3 ~~Subd. 4. **Wireless requirements.** Every owner and operator of a wireless~~
 9.4 ~~telecommunications system shall design and maintain the system to dial the 911 number~~
 9.5 ~~without charge to the caller.~~

9.6 Subd. 5. **Pay phone requirements.** Every pay phone owner and operator ~~shall~~ must
 9.7 permit dialing of the 911 number without coin and without charge to the caller.

9.8 Subd. 6. **Multistation or PBX system.** Every owner and operator of a multistation or
 9.9 private branch exchange (PBX) multiline telephone system ~~shall~~ must design and maintain
 9.10 the system to dial the 911 number without charge to the caller.

9.11 ~~Subd. 7. **Contractual requirements.** (a) The state shall contract with the county or other~~
 9.12 ~~governmental agencies operating public safety answering points and with the appropriate~~
 9.13 ~~wire-line telecommunications service providers or other entities determined by the~~
 9.14 ~~commissioner to be capable of providing effective and efficient components of the 911~~
 9.15 ~~system for the operation, maintenance, enhancement, and expansion of the 911 system.~~

9.16 ~~(b) The contract language or subsequent amendments to the contract must include a~~
 9.17 ~~description of the services to be furnished to the county or other governmental agencies~~
 9.18 ~~operating public safety answering points. The contract language or subsequent amendments~~
 9.19 ~~must include the terms of compensation based on the effective tariff or price list filed with~~
 9.20 ~~the Public Utilities Commission or the prices agreed to by the parties.~~

9.21 ~~(c) The contract language or subsequent amendments to contracts between the parties~~
 9.22 ~~must contain a provision for resolving disputes.~~

9.23 Subd. 8. **Liability.** No person involved in the provision of 911 networks, systems, or
 9.24 services who, in good faith: (1) receives, develops, collects, or processes information for
 9.25 the 911 databases; or (2) relays, transfers, operates, maintains, or provides 911 networks,
 9.26 services, or system capabilities is liable for damages in any civil action for any act or
 9.27 omission that results in death, injury, or loss to person or property unless such action or
 9.28 inaction constitutes negligence or an intentional tort.

9.29 Sec. 3. Minnesota Statutes 2020, section 403.03, subdivision 2, is amended to read:

9.30 Subd. 2. **Telephone cardiopulmonary resuscitation program.** (a) ~~On or before July~~
 9.31 ~~1, 2021,~~ Every public safety answering point must maintain a telephone cardiopulmonary
 9.32 resuscitation program by either:

10.1 (1) providing each ~~911~~ public safety telecommunicator with training in cardiopulmonary
10.2 resuscitation; or

10.3 (2) transferring callers to another public safety answering point with ~~911~~ public safety
10.4 telecommunicators that have received training in cardiopulmonary resuscitation.

10.5 (b) Training in cardiopulmonary resuscitation must, at a minimum, include:

10.6 (1) use of an evidence-based protocol or script for providing cardiopulmonary
10.7 resuscitation instruction that has been recommended by an academic institution or a nationally
10.8 recognized organization specializing in medical dispatch and, if the public safety answering
10.9 point has a medical director, approved by that medical director; and

10.10 (2) appropriate continuing education, as determined by the evidence-based protocol for
10.11 providing cardiopulmonary resuscitation instruction and, if the public safety answering
10.12 point has a medical director, approved by that medical director.

10.13 (c) A public safety answering point that transfers callers to another public safety
10.14 answering point must, at a minimum:

10.15 (1) use an evidence-based protocol for the identification of a person in need of
10.16 cardiopulmonary resuscitation;

10.17 (2) provide each ~~911~~ public safety telecommunicator with appropriate training and
10.18 continuing education to identify a person in need of cardiopulmonary resuscitation through
10.19 the use of an evidence-based protocol; and

10.20 (3) ensure that any public safety answering point to which calls are transferred uses ~~911~~
10.21 public safety telecommunicators who meet the training requirements under paragraph (b).

10.22 (d) Each public safety answering point ~~shall~~ must conduct ongoing quality assurance of
10.23 its telephone cardiopulmonary resuscitation program.

10.24 Sec. 4. Minnesota Statutes 2020, section 403.03, subdivision 4, is amended to read:

10.25 Subd. 4. **Liability exemption.** (a) If a caller refuses or is otherwise unwilling or unable
10.26 to provide cardiopulmonary resuscitation or receive telephone cardiopulmonary resuscitation
10.27 instruction, the ~~911~~ public safety telecommunicator is not required to provide
10.28 cardiopulmonary resuscitation instruction and is immune from civil liability for any damages
10.29 resulting from the fact that such instruction was not provided.

10.30 (b) Telephone cardiopulmonary resuscitation instruction is a general duty to the public
10.31 rather than a special duty owed to individuals, and a ~~911~~ public safety telecommunicator
10.32 must exercise judgment and discretion in performing actions including but not limited to:

11.1 (1) determining whether a particular situation requires instituting the cardiopulmonary
11.2 resuscitation program;

11.3 (2) determining whether a caller refuses or is otherwise unable or unwilling to provide
11.4 cardiopulmonary resuscitation or receive telephone cardiopulmonary resuscitation instruction;

11.5 (3) using and appropriately adapting an evidence-based protocol or script for providing
11.6 cardiopulmonary resuscitation instruction based on individual callers and emergency
11.7 situations presented by callers; and

11.8 (4) determining when to transfer a caller to another public safety answering point with
11.9 ~~911~~ public safety telecommunicators that have received training in cardiopulmonary
11.10 resuscitation.

11.11 Sec. 5. Minnesota Statutes 2020, section 403.05, is amended to read:

11.12 **403.05 911 ~~SYSTEM NETWORK~~ OPERATION AND MAINTENANCE.**

11.13 Subdivision 1. **Operate and maintain.** ~~Each county or any other governmental agency~~
11.14 ~~shall~~ The commissioner must operate and maintain its statewide 911 system to meet
11.15 network meeting the requirements of governmental agencies whose services are available
11.16 through the 911 system and to permit future expansion or enhancement of the system set
11.17 forth by the commissioner through rules established under chapter 14, including but not
11.18 limited to network and data performance measures, diversity, redundancy, interoperability,
11.19 and cybersecurity. Each county, federal, Tribal, or other organization connected to the
11.20 statewide 911 network must operate and maintain a 911 system that meets the requirements
11.21 of governmental agencies whose services are available through the 911 network.

11.22 Subd. 1a. **GIS validation and aggregation.** The commissioner must provide geospatial
11.23 data validation and aggregation tools that counties need in order to share the GIS data
11.24 required for the 911 network.

11.25 ~~Subd. 2. **Rule requirements for 911 system plans.** Each county or any other~~
11.26 ~~governmental agency shall maintain and update its 911 system plans as required under~~
11.27 ~~Minnesota Rules, chapter 1215.~~

11.28 Subd. 2a. **Responsibilities of PSAPs.** (a) Each PSAP connecting to the statewide 911
11.29 network must comply with state and, where applicable, regional 911 plans. Federal, Tribal,
11.30 or other governmental organizations operating their own 911 systems must be approved by
11.31 the commissioner.

12.1 (b) Any PSAP not connected to the state 911 network that desires to interact with a 911
 12.2 system or has an agreement for shared 911 services must be interoperable with the state
 12.3 911 network.

12.4 ~~Subd. 3. **Agreements for service.** Each county or any other governmental agency shall~~
 12.5 ~~contract with the state for the recurring and nonrecurring costs associated with operating~~
 12.6 ~~and maintaining 911 emergency communications systems. If requested by the county or~~
 12.7 ~~other governmental agency, the county or agency is entitled to be a party to any contract~~
 12.8 ~~between the state and any wire-line telecommunications service provider or 911 emergency~~
 12.9 ~~telecommunications service provider providing components of the 911 system within the~~
 12.10 ~~county. The state must contract for facilities and services associated with operating and~~
 12.11 ~~maintaining the Minnesota statewide 911 network and ESInet. The contract and any~~
 12.12 ~~subsequent amendments must include a description of the services to be provided and the~~
 12.13 ~~terms of compensation based on the prices agreed to by the parties.~~

12.14 Sec. 6. Minnesota Statutes 2020, section 403.06, is amended to read:

12.15 **403.06 COMMISSIONER'S DUTIES.**

12.16 Subdivision 1. **System coordination, improvements, variations, and agreements.** The
 12.17 commissioner ~~shall~~ may coordinate with counties on the management and maintenance of
 12.18 their 911 systems. ~~If requested,~~ the commissioner ~~shall~~ must aid counties in the formulation
 12.19 of ~~concepts, methods,~~ their public safety answering point plans, system design plans,
 12.20 performance and operational requirements, and procedures which will improve the operation
 12.21 and maintenance of their 911 systems. ~~The commissioner shall establish procedures for~~
 12.22 ~~determining and evaluating requests for variations from the established design standards.~~
 12.23 ~~The commissioner shall respond to requests by wireless or wire-line telecommunications~~
 12.24 ~~service providers or by counties or other governmental agencies for system agreements,~~
 12.25 ~~contracts, and tariff language promptly and no later than within 45 days of the request unless~~
 12.26 ~~otherwise mutually agreed to by the parties.~~

12.27 Subd. 1a. **Biennial budget; annual financial report.** The commissioner ~~shall~~ must
 12.28 prepare a biennial budget ~~for maintaining the 911 system.~~ by December 15 of each year;
 12.29 The commissioner ~~shall~~ must submit a report to the legislature detailing the expenditures
 12.30 for maintaining the 911 ~~system~~ network, the 911 fees collected, the balance of the 911 fund,
 12.31 ~~the~~ 911-related administrative expenses of the commissioner, the 911 fees collected, and
 12.32 the most recent forecast of revenues and expenditures for the 911 emergency
 12.33 telecommunications service account, including a separate projection of ~~E911~~ 911 fees from
 12.34 prepaid wireless customers and projections of year-end fund balances. The commissioner

13.1 is authorized to expend money that has been appropriated to pay for the maintenance,
 13.2 enhancements, and expansion of the 911 ~~system~~ network.

13.3 **Subd. 1b. Connection plan required; commissioner review and enforcement. (a)**

13.4 The commissioner must respond to network and database change requests by OSPs promptly
 13.5 and no later than within 45 days of the request unless otherwise mutually agreed to by the
 13.6 parties. All network and location database variances requested by OSPs connecting to the
 13.7 ESInet must comply with Minnesota Rules.

13.8 (b) All OSPs must submit and maintain a plan for connection to the 911 network POIs
 13.9 in accordance with the requirements set forth in Minnesota Rules. The commissioner must
 13.10 review all connection plans to ensure compliance with all 911 network and database design
 13.11 and performance requirements.

13.12 **Subd. 2. Waiver.** Any county, ~~other governmental agency, wireless telecommunications~~
 13.13 ~~service provider, or wire-line telecommunications service provider~~ federal, Tribal, or other
 13.14 organization connected to the statewide 911 network or OSP may petition the commissioner
 13.15 for a waiver of all or portions of the requirements. A waiver may be granted upon a
 13.16 demonstration by the petitioner that the requirement is economically infeasible.

13.17 Sec. 7. Minnesota Statutes 2020, section 403.07, as amended by Laws 2021, First Special
 13.18 Session chapter 11, article 2, section 23, is amended to read:

13.19 **403.07 NETWORK STANDARDS ESTABLISHED; DATA PRIVACY.**

13.20 Subdivision 1. **Rules.** The commissioner ~~shall~~ must establish and adopt in accordance
 13.21 with chapter 14, rules for the administration of this chapter and for the development of 911
 13.22 ~~systems~~ network in the state including:

13.23 (1) design and performance standards for the 911 systems ~~incorporating the standards~~
 13.24 ~~adopted pursuant to subdivision 2 for the seven-county metropolitan area network, including~~
 13.25 but not limited to network, routing, and database standards for counties, OSPs, and ECNSPs;
 13.26 and

13.27 (2) ~~a procedure for determining and evaluating requests for variations from the established~~
 13.28 ~~design standards~~ design and performance standards for the ten-county metropolitan area,
 13.29 incorporating the standards adopted pursuant to subdivision 2.

13.30 Subd. 2. **Design standards for metropolitan area.** The Metropolitan Emergency
 13.31 Services Board ~~shall~~ must establish and adopt design and performance standards for the
 13.32 ~~metropolitan area 911 system and transmit them to the commissioner for incorporation into~~
 13.33 ~~the rules adopted pursuant to this section~~ 911 network for the ten-county metropolitan area,

14.1 including but not limited to network design, routing, and database standards for counties,
 14.2 OSP, and ECNSPs operating in the ten-county metropolitan area and provide them to the
 14.3 commissioner in accordance with chapter 14 for incorporation into the rules adopted pursuant
 14.4 to this section. Such standards must be interoperable with the statewide 911 network and
 14.5 data standards.

14.6 Subd. 3. **Database Location data.** ~~In 911 systems that have been approved by the~~
 14.7 ~~commissioner for a local location identification database, each wire-line telecommunications~~
 14.8 ~~service provider shall provide current customer names, service addresses, and telephone~~
 14.9 ~~numbers to each public safety answering point within the 911 system and shall update the~~
 14.10 ~~information according to a schedule prescribed by the county 911 plan. Information provided~~
 14.11 ~~under this subdivision must be provided in accordance with the transactional record disclosure~~
 14.12 ~~requirements of the federal Communications Act of 1932, United States Code, title 47,~~
 14.13 ~~section 222, subsection (g).~~ All OSPs must provide to the 911 network, at the time of each
 14.14 911 call, the location of the device making the 911 call, unless there are circumstances
 14.15 beyond the control of the provider that prevents the OSP from sharing the location data.
 14.16 Any OSP supplying the location of 911 calls in civic address form must prevalidate the
 14.17 address to location data supplied by the county and accessible through the NGCS.

14.18 Subd. 3a. **Access to data for accuracy verification.** (a) OSPs must, upon request of
 14.19 the state, a region, the ECNSP, or a PSAP, and at no cost, provide a copy of subscriber
 14.20 address location information or GIS data used by the OSP that is necessary to verify location
 14.21 and routing accuracy of 911 calls. Any ECNSP routing 911 calls must, upon request of the
 14.22 state, a region, or PSAP, provide a copy of routing files used in determining PSAP selection
 14.23 for the purpose of verifying routing accuracy.

14.24 (b) OSPs must, upon request of the state, a region, the ECNSP, or a PSAP, provide a
 14.25 copy of subscriber address location information for uses specific to 911 systems. This request
 14.26 may carry a cost to the requester.

14.27 Subd. 3b. **Database standards in metropolitan area.** The Metropolitan Emergency
 14.28 Services Board must establish and adopt 911 database standards for OSPs operating in the
 14.29 ten-county metropolitan area 911 system and provide them to the commissioner for
 14.30 incorporation in accordance with chapter 14 into the rules adopted pursuant to this section.

14.31 Subd. 4. **Use of furnished information.** (a) Names, addresses, and telephone numbers
 14.32 provided to a 911 system under subdivision 3 are private data and may be used only:

14.33 (1) to identify the location or identity, or both, of a person calling a 911 public safety
 14.34 answering point PSAP; or

15.1 (2) by a ~~public safety answering point~~ PSAP to notify the public of an emergency.

15.2 ~~(b)~~ (b) The information furnished under ~~subdivision 3~~ this chapter and the rules adopted
 15.3 pursuant to subdivision 1 may not be used or disclosed by 911 system agencies, their agents,
 15.4 or their employees for any other purpose except under a court order.

15.5 ~~(b)~~ (c) For purposes of this subdivision, "emergency" means a situation in which property
 15.6 or human life is in jeopardy and the prompt notification of the public by the public safety
 15.7 answering point is essential.

15.8 ~~Subd. 5. Liability.~~ (a) ~~A wire-line telecommunications service provider, its employees,~~
 15.9 ~~or its agents are not liable to any person who uses enhanced 911 telecommunications service~~
 15.10 ~~for release of subscriber information required under this chapter to any public safety~~
 15.11 ~~answering point.~~

15.12 ~~(b)~~ (b) ~~A wire-line telecommunications service provider is not liable to any person for the~~
 15.13 ~~good-faith release to emergency communications personnel of information not in the public~~
 15.14 ~~record, including, but not limited to, nonpublished or nonlisted telephone numbers.~~

15.15 ~~(c)~~ (c) ~~A wire-line telecommunications service provider, its employees, or its agents are not~~
 15.16 ~~liable to any person for civil damages resulting from or caused by any act or omission in~~
 15.17 ~~the development, design, installation, operation, maintenance, performance, or provision~~
 15.18 ~~of enhanced 911 telecommunications service, except for willful or wanton misconduct.~~

15.19 ~~(d)~~ (d) ~~A multiline telephone system manufacturer, provider, or operator is not liable for~~
 15.20 ~~any civil damages or penalties as a result of any act or omission, except willful or wanton~~
 15.21 ~~misconduct, in connection with developing, designing, installing, maintaining, performing,~~
 15.22 ~~provisioning, adopting, operating, or implementing any plan or system required by section~~
 15.23 ~~403.15.~~

15.24 ~~(e)~~ (e) ~~A telecommunications service provider that participates in or cooperates with the~~
 15.25 ~~public safety answering point in notifying the public of an emergency, as authorized under~~
 15.26 ~~subdivision 4, is immune from liability arising out of the notification except for willful or~~
 15.27 ~~wanton misconduct.~~

15.28 Sec. 8. Minnesota Statutes 2020, section 403.08, is amended to read:

15.29 **403.08 WIRELESS TELECOMMUNICATIONS ORIGINATING SERVICE**
 15.30 **PROVIDER PROVIDERS.**

15.31 ~~Subd. 7. Duties.~~ Subd. 7. Duties. ~~Each wireless telecommunications service provider shall cooperate in~~
 15.32 ~~planning and implementing integration with enhanced 911 systems operating in their service~~

16.1 ~~territories to meet Federal Communications Commission-enhanced 911 standards. Each~~
 16.2 ~~wireless telecommunications service provider shall annually develop and provide to the~~
 16.3 ~~commissioner good faith estimates of installation and recurring expenses to integrate wireless~~
 16.4 ~~911 service into the enhanced 911 networks to meet Federal Communications Commission~~
 16.5 ~~phase one wireless enhanced 911 standards. The commissioner shall coordinate with counties~~
 16.6 ~~and affected public safety agency representatives in developing a statewide design and plan~~
 16.7 ~~for implementation. Each originating service provider must cooperate in planning and~~
 16.8 ~~implementing integration with the statewide 911 network to meet Federal Communications~~
 16.9 ~~Commission and Minnesota Public Utilities Commission 911 requirements, as applicable.~~

16.10 Subd. 9. **Scope.** ~~Planning considerations must include cost, degree of integration into~~
 16.11 ~~existing 911 systems, the retention of existing 911 infrastructure, and the potential~~
 16.12 ~~implications of phase 2 of the Federal Communications Commission wireless enhanced~~
 16.13 ~~911 standards a plan to interconnect to the 911 network POIs, the retention and reuse of~~
 16.14 ~~existing 911 infrastructure, and the implications of the Federal Communications~~
 16.15 ~~Commission's wireless location accuracy requirements.~~

16.16 Subd. 10. **Plan integration.** ~~Counties shall incorporate the statewide design when~~
 16.17 ~~modifying county 911 plans to provide for integrating wireless 911 service into existing~~
 16.18 ~~county 911 systems. Originating service providers must annually submit plans to the~~
 16.19 ~~commissioner detailing how they will connect, or confirming how they already connect, to~~
 16.20 ~~the statewide 911 network.~~

16.21 Subd. 11. **Liability.** ~~(a) No wireless enhanced 911 emergency telecommunications~~
 16.22 ~~service provider, its employees, or its agents are liable to any person for civil damages~~
 16.23 ~~resulting from or caused by any act or omission in the development, design, installation,~~
 16.24 ~~operation, maintenance, performance, or provision of enhanced 911 wireless service, except~~
 16.25 ~~for willful or wanton misconduct.~~

16.26 ~~(b) No wireless carrier, its employees, or its agents are liable to any person who uses~~
 16.27 ~~enhanced 911 wireless service for release of subscriber information required under this~~
 16.28 ~~chapter to any public safety answering point. Originating service providers are subject to~~
 16.29 ~~the liability provisions under section 403.025, subdivision 8.~~

16.30 Subd. 12. **Notification of subscriber.** ~~A provider of wireless telecommunications services~~
 16.31 ~~shall notify its subscribers at the time of initial subscription and four times per year thereafter~~
 16.32 ~~that a 911 emergency call made from a wireless telephone is not always answered by a local~~
 16.33 ~~public safety answering point but may be routed to a State Patrol dispatcher and that,~~
 16.34 ~~accordingly, the caller must provide specific information regarding the caller's location.~~

17.1 Sec. 9. Minnesota Statutes 2020, section 403.09, subdivision 2, is amended to read:

17.2 Subd. 2. **Commission authority.** At the request of the public utilities commission, the
 17.3 attorney general may commence proceedings before the district court pursuant to section
 17.4 237.27, against any ~~wire-line telecommunications~~ originating service provider that falls
 17.5 under the commission's authority and refuses to comply with this chapter.

17.6 Sec. 10. Minnesota Statutes 2020, section 403.10, is amended to read:

17.7 **403.10 COOPERATIVE AGREEMENT.**

17.8 Subdivision 1. **Authority.** All public agencies and counties that are part of different 911
 17.9 systems but share common boundary lines may enter into cooperative agreements to provide
 17.10 that once an emergency unit is dispatched in response to a request through the system, the
 17.11 unit ~~shall~~ must render its services to the requesting party without regard to jurisdictional
 17.12 boundaries.

17.13 Subd. 2. **Notice to ~~public safety~~ government agency.** ~~Public safety~~ Government agencies
 17.14 with jurisdictional responsibilities ~~shall~~ must in all cases be notified by the public safety
 17.15 answering point of a request for service in their jurisdiction.

17.16 Subd. 3. **Allocating costs.** Counties, public agencies, operating public safety answering
 17.17 points, and other local governmental units may enter into cooperative agreements under
 17.18 section 471.59 for the allocation of operational and capital costs attributable to the 911
 17.19 system and 911 services.

17.20 Sec. 11. Minnesota Statutes 2020, section 403.11, as amended by Laws 2021, First Special
 17.21 Session chapter 11, article 2, section 24, is amended to read:

17.22 **403.11 911 SYSTEM COST ACCOUNTING REQUIREMENTS; FEE.**

17.23 Subdivision 1. **Emergency telecommunications service fee; account.** (a) Each customer
 17.24 of a ~~wireless or wire-line switched or packet-based telecommunications~~ an originating
 17.25 service provider connected to the public switched telephone network that furnishes service
 17.26 capable of originating a 911 emergency telephone call is assessed a fee based upon the
 17.27 number of wired or wireless telephone lines, or their equivalent, to cover the costs of ongoing
 17.28 maintenance and related improvements for trunking and central office switching equipment
 17.29 for 911 emergency telecommunications service, to offset administrative and staffing costs
 17.30 of the commissioner related to managing the 911 emergency telecommunications service
 17.31 program, to make distributions provided for in section 403.113, and to offset the costs,

18.1 including administrative and staffing costs, incurred by the State Patrol Division of the
18.2 Department of Public Safety in handling 911 emergency calls made from wireless phones.

18.3 (b) Money remaining in the 911 emergency telecommunications service account after
18.4 all other obligations are paid and defined reserves are met must not cancel and is carried
18.5 forward to subsequent years and may be appropriated ~~from time to time~~ to the commissioner
18.6 to provide financial assistance to ~~counties~~ eligible entities for the improvement of ~~local~~
18.7 ~~emergency telecommunications services~~ 911 systems in compliance with use as designated
18.8 in section 403.113, subdivision 3.

18.9 (c) The fee may not be more than 95 cents a month on or after July 1, 2010, for each
18.10 customer access line or other basic access service, including trunk equivalents as designated
18.11 by the Public Utilities Commission for access charge purposes and including wireless
18.12 telecommunications services. With the approval of the commissioner of management and
18.13 budget, the commissioner of public safety ~~shall~~ must establish the amount of the fee within
18.14 the limits specified and inform the companies and carriers of the amount to be collected.
18.15 ~~When the revenue bonds authorized under section 403.27, subdivision 1, have been fully~~
18.16 ~~paid or defeased, the commissioner shall reduce the fee to reflect that debt service on the~~
18.17 ~~bonds is no longer needed.~~ The commissioner ~~shall~~ must provide companies and carriers a
18.18 minimum of 45 days' notice of each fee change. The fee must be the same for all customers,
18.19 except that the fee imposed under this subdivision does not apply to prepaid wireless
18.20 telecommunications service, which is instead subject to the fee imposed under section
18.21 403.161, subdivision 1, paragraph (a).

18.22 (d) The fee must be collected by each ~~wireless or wire-line telecommunications~~
18.23 originating service provider subject to the fee. Fees are payable to and must be submitted
18.24 to the commissioner monthly before the 25th of each month following the month of
18.25 collection, except that fees may be submitted quarterly if less than \$250 a month is due, or
18.26 annually if less than \$25 a month is due. Receipts must be deposited in the state treasury
18.27 and credited to a 911 emergency telecommunications service account in the special revenue
18.28 fund. The money in the account may only be used for 911 telecommunications services.
18.29 The money in the account may only be used for costs outlined in section 403.113.

18.30 (e) Competitive local exchanges carriers holding certificates of authority from the Public
18.31 Utilities Commission are eligible to receive payment for recurring 911 services.

18.32 Subd. 1a. **Fee collection declaration.** If the commissioner disputes the accuracy of a
18.33 fee submission or if no fees are submitted by a ~~wireless, wire-line, or packet-based~~
18.34 ~~telecommunications service provider, the wireless, wire-line, or packet-based~~

19.1 ~~telecommunications~~ an originating service provider ~~shall~~, the OSP must submit a sworn
 19.2 declaration signed by an officer of the company certifying, under penalty of perjury, that
 19.3 the information provided with the fee submission is true and correct. The sworn declaration
 19.4 must specifically describe and affirm that the 911 fee computation is complete and accurate.
 19.5 When ~~a wireless, wire-line, or packet-based telecommunications service provider~~ an OSP
 19.6 fails to provide a sworn declaration within 90 days of notice by the commissioner that the
 19.7 fee submission is disputed, the commissioner may estimate the amount due from the ~~wireless,~~
 19.8 ~~wire-line, or packet-based telecommunications service provider~~ OSP and refer that amount
 19.9 for collection under section 16D.04.

19.10 Subd. 1b. **Examination of fees.** If the commissioner determines that an examination is
 19.11 necessary to document the fee submission and sworn declaration in subdivision 1a, the
 19.12 ~~wireless, wire-line, or packet-based telecommunications~~ originating service provider must
 19.13 contract with an independent certified public accountant to conduct an examination of fees.
 19.14 The examination must be conducted in accordance with attestation audit standards.

19.15 Subd. 3. **Method of payment.** (a) Any wireless or wire-line telecommunications service
 19.16 provider incurring reimbursable costs under subdivision 1 ~~shall~~ may submit an invoice
 19.17 itemizing rate elements by county or service area to the commissioner for 911 services
 19.18 furnished under contract. Any wireless or wire-line telecommunications service provider
 19.19 is eligible to receive payment for 911 services rendered according to the terms and conditions
 19.20 specified in the contract. The commissioner ~~shall~~ must pay the invoice within 30 days
 19.21 following receipt of the invoice unless the commissioner notifies the service provider that
 19.22 the commissioner disputes the invoice.

19.23 (b) The commissioner ~~shall~~ must estimate the amount required to reimburse 911
 19.24 emergency telecommunications service providers and wireless and wire-line
 19.25 telecommunications service providers for the state's obligations under subdivision 1, and
 19.26 the governor ~~shall~~ must include the estimated amount in the biennial budget request.

19.27 Subd. 3a. **Timely invoices.** An invoice for services provided for in the contract with a
 19.28 wireless or wire-line telecommunications service provider must be submitted to the
 19.29 commissioner no later than 90 days after commencing a new or additional eligible 911
 19.30 service. Each applicable contract must provide that, if certified expenses under the contract
 19.31 deviate from estimates in the contract by more than ten percent, the commissioner may
 19.32 reduce the level of service without incurring any termination fees.

19.33 Subd. 3b. **Declaration.** If the commissioner disputes an invoice, the wireless and
 19.34 wire-line telecommunications service providers ~~shall~~ must submit a declaration under section

20.1 16A.41 signed by an officer of the company with the invoices for payment of service
20.2 described in the service provider's 911 contract. The sworn declaration must specifically
20.3 describe and affirm that the 911 service contracted for is being provided and the costs
20.4 invoiced for the service are true and correct. When a wireless or wire-line telecommunications
20.5 service provider fails to provide a sworn declaration within 90 days of notice by the
20.6 commissioner that the invoice is disputed, the disputed amount of the invoice must be
20.7 disallowed.

20.8 Subd. 3c. **Audit.** If the commissioner determines that an audit is necessary to document
20.9 the invoice and sworn declaration in subdivision 3b, the wireless or wire-line
20.10 telecommunications service provider must contract with an independent certified public
20.11 accountant to conduct the audit. The audit must be conducted according to generally accepted
20.12 accounting principles. The wireless or wire-line telecommunications service provider is
20.13 responsible for any costs associated with the audit.

20.14 Subd. 3d. **Eligible telecommunications carrier; requirement.** No ~~wireless~~
20.15 ~~communications~~ originating service provider may provide telecommunications services
20.16 under a designation of eligible telecommunications carrier, as provided under Minnesota
20.17 Rules, part 7811.1400, until and unless the commissioner of public safety certifies to the
20.18 chair of the public utilities commission that the wireless telecommunications provider is
20.19 not in arrears in amounts owed to the 911 emergency telecommunications service account
20.20 in the special revenue fund.

20.21 Subd. 4. **Local recurring costs.** Recurring costs ~~of~~ not covered as part of the state 911
20.22 network contracts for telecommunications equipment and services at public safety answering
20.23 points must be borne by the local governmental agency operating the public safety answering
20.24 point or allocated pursuant to section 403.10, subdivision 3. Costs attributable to local
20.25 government electives for services not otherwise addressed under section 403.11 or 403.113
20.26 must be borne by the governmental agency requesting the elective service.

20.27 Subd. 5. **Tariff notification.** Wire-line telecommunications service providers or wireless
20.28 telecommunications service providers holding eligible telecommunications carrier status
20.29 ~~shall~~ must give notice to the commissioner and any other affected governmental agency of
20.30 tariff or price list changes related to 911 service at the same time that the filing is made with
20.31 the public utilities commission.

20.32 Subd. 5a. **Originating service provider connection; responsibility for costs.** Originating
20.33 service providers are required to connect 911 calls originated by their users and subscribers
20.34 to points of interconnection provided by the state in accordance with requirements set forth

21.1 by the commissioner through the rules established under chapter 14. Costs for the connectivity
 21.2 and delivery of 911 calls, including caller location data, to the POIs are the responsibility
 21.3 of the OSP.

21.4 Subd. 6. **Originating service provider report.** (a) ~~Beginning~~ Each September 1, ~~2013,~~
 21.5 ~~and continuing semiannually thereafter and March 1,~~ each wireless telecommunications
 21.6 originating service provider ~~shall~~ must report to the commissioner, based on the ~~mobile~~
 21.7 subscriber's telephone number, ~~both.~~ Wireless communication providers must include the
 21.8 total number of prepaid wireless telecommunications subscribers sourced to Minnesota and
 21.9 the total number of wireless telecommunications subscribers sourced to Minnesota. The
 21.10 report must be filed on the same schedule as Federal Communications Commission Form
 21.11 477.

21.12 (b) The commissioner ~~shall~~ must make a standard form available to all wireless
 21.13 telecommunications service providers for submitting information required to compile the
 21.14 report required under this subdivision.

21.15 (c) The information provided to the commissioner under this subdivision is considered
 21.16 trade secret information under section 13.37 and may only be used for purposes of
 21.17 administering this chapter.

21.18 Sec. 12. Minnesota Statutes 2020, section 403.113, is amended to read:

21.19 **403.113 ENHANCED 911 SERVICE COSTS; FEE.**

21.20 Subdivision 1. **Fee.** A portion of the fee collected under section 403.11 must be used to
 21.21 fund implementation, operation, maintenance, enhancement, and expansion of ~~enhanced~~
 21.22 the 911 service network, including acquisition of necessary equipment and the costs of the
 21.23 commissioner to administer the program in accordance with Federal Communications
 21.24 Commission rules.

21.25 Subd. 2. **Distribution of money.** (a) After payment of the costs of the commissioner to
 21.26 administer the program, the commissioner ~~shall~~ must distribute the money collected under
 21.27 this section as follows:

21.28 (1) one-half of the amount equally to all qualified counties, and after October 1, 1997,
 21.29 to all qualified counties, existing ten public safety answering points operated by the
 21.30 Minnesota State Patrol, and each governmental entity operating the individual public safety
 21.31 answering points serving the Metropolitan Airports Commission, the Red Lake Indian
 21.32 Reservation, and the University of Minnesota Police Department; and

22.1 (2) the remaining one-half to qualified counties and cities with existing 911 systems
 22.2 based on each county's or city's percentage of the total population of qualified counties and
 22.3 cities. The population of a qualified city with an existing system must be deducted from its
 22.4 county's population when calculating the county's share under this clause if the city seeks
 22.5 direct distribution of its share.

22.6 (b) A county's share under subdivision 1 must be shared pro rata between the county
 22.7 and existing city systems in the county. A county or city or other governmental entity as
 22.8 described in paragraph (a), clause (1), ~~shall~~ must deposit money received under this
 22.9 subdivision in an interest-bearing fund or account separate from the governmental entity's
 22.10 general fund and may use money in the fund or account only for the purposes specified in
 22.11 subdivision 3.

22.12 (c) A county or city or other governmental entity as described in paragraph (a), clause
 22.13 (1), is not qualified to share in the distribution of money for enhanced 911 service if it has
 22.14 not implemented enhanced 911 service before December 31, 1998.

22.15 (d) For the purposes of this subdivision, "existing city system" means a city 911 system
 22.16 that provides at least basic 911 service and that was implemented on or before April 1, 1993.

22.17 Subd. 3. **Local expenditures.** (a) Money distributed under subdivision 2 for ~~enhanced~~
 22.18 ~~911 service systems or services~~ may be spent on enhanced 911 system costs for the purposes
 22.19 stated in subdivision 1. ~~In addition, money may be spent to lease, purchase, lease-purchase,~~
 22.20 ~~or maintain enhanced 911 equipment, including telephone equipment; recording equipment;~~
 22.21 ~~computer hardware; computer software for database provisioning, addressing, mapping,~~
 22.22 ~~and any other software necessary for automatic location identification or local location~~
 22.23 ~~identification; trunk lines; selective routing equipment; the master street address guide;~~
 22.24 ~~dispatcher public safety answering point equipment proficiency and operational skills; pay~~
 22.25 ~~for long-distance charges incurred due to transferring 911 calls to other jurisdictions; and~~
 22.26 ~~the equipment necessary within the public safety answering point for community alert~~
 22.27 ~~systems and to notify and communicate with the emergency services requested by the 911~~
 22.28 ~~caller. as well as expenses deemed allowable under Code of Federal Regulations, title 47,~~
 22.29 section 9.23.

22.30 (b) Money distributed for enhanced 911 service may not be spent on:

22.31 (1) purchasing or leasing of real estate or cosmetic additions to or remodeling of
 22.32 ~~communications centers~~ public safety answering points;

22.33 (2) ~~mobile communications vehicles,~~ fire engines, ambulances, law enforcement vehicles,
 22.34 or other emergency vehicles;

23.1 (3) signs, posts, or other markers related to addressing or any costs associated with the
 23.2 installation or maintenance of signs, posts, or markers;

23.3 (4) any purposes prohibited by the Federal Communications Commission; and

23.4 (5) transferring of 911 fees into a state or other jurisdiction's general fund or other fund
 23.5 for non-911 purposes.

23.6 Subd. 4. **Audits.** (a) Each county and city or ~~other governmental entity~~ federal, Tribal,
 23.7 or other organization connected to the statewide 911 network as described in subdivision
 23.8 2, paragraph (a), clause (1), ~~shall~~ or secondary public safety answering point must conduct
 23.9 an annual audit in accordance with Minnesota Rules, chapter 7580, and Code of Federal
 23.10 Regulations, title 47, section 9.25, on the use of funds distributed to it for enhanced 911
 23.11 service systems or services to ensure the distribution is spent according to subdivision 3. A
 23.12 copy of each audit report must be submitted to the commissioner.

23.13 (b) The commissioner may request a state audit of a county, federal, Tribal, or other
 23.14 organization connected to the statewide 911 network which receives 911 funds from the
 23.15 state to operate its 911 system or service to ensure compliance with subdivision 3.

23.16 (c) Failure to submit an audit may result in a disruption of 911 fee distribution until the
 23.17 audit is submitted.

23.18 Sec. 13. Minnesota Statutes 2020, section 403.15, is amended to read:

23.19 **403.15 MULTILINE TELEPHONE SYSTEM 911 REQUIREMENTS.**

23.20 Subdivision 1. **Multistation or PBX system.** Except as otherwise provided in this
 23.21 section, every owner and operator of a new multistation or private branch exchange (PBX)
 23.22 multiline telephone system purchased or upgraded after December 31, 2004, ~~shall~~ must
 23.23 design and maintain the system to provide a callback number or 10-digit caller ID and
 23.24 emergency response location.

23.25 Subd. 2. **Multiline telephone system user dialing instructions.** (a) Each multiline
 23.26 telephone system (MLTS) operator must demonstrate or otherwise inform each new telephone
 23.27 system user how to call for emergency assistance from that particular multiline telephone
 23.28 system.

23.29 (b) MLTS platforms that are manufactured, imported, offered for first sale or lease, first
 23.30 sold or leased, or installed after February 16, 2020, must enable users to directly initiate a
 23.31 call to 911 from any station equipped with dialing facilities without dialing any additional

24.1 digit, code, prefix, or post-fix, including any trunk-access code such as the digit 9, regardless
 24.2 of whether the user is required to dial such a digit, code, prefix, or postfix for other calls.

24.3 (c) MLTSs that are manufactured, imported, offered for first sale or lease, first sold or
 24.4 leased, or installed after February 16, 2020, must be configured so that upon an occurrence
 24.5 of a 911 call it will provide a notification that a 911 call has been made to a central location
 24.6 at the facility where the system is installed or to another person or organization, regardless
 24.7 of location, if the system is able to be configured to provide the notification without an
 24.8 improvement to the hardware or software of the system.

24.9 Subd. 3. **Shared residential multiline telephone system.** On and after January 1, 2005,
 24.10 operators of shared multiline telephone systems, whenever installed, serving residential
 24.11 customers ~~shall~~ must ensure that the shared multiline telephone system is connected to the
 24.12 public switched network and that 911 calls from the system result in at least one distinctive
 24.13 automatic number identification and automatic location identification for each residential
 24.14 unit, except those requirements do not apply if the residential facility maintains one of the
 24.15 following:

24.16 (1) automatic location identification for each respective emergency response location;

24.17 (2) the ability to direct emergency responders to the 911 caller's location through an
 24.18 alternative and adequate means, such as the establishment of a 24-hour private answering
 24.19 point operated by the facility; or

24.20 (3) a connection to a switchboard operator, attendant, or other designated on-site
 24.21 individual.

24.22 Subd. 4. **Hotel or motel multiline telephone system.** Operators of hotel and motel
 24.23 multiline telephone systems ~~shall~~ must permit the dialing of 911 and ~~shall~~ must ensure that
 24.24 911 calls originating from hotel or motel multiline telephone systems allow the 911 system
 24.25 to clearly identify the address and specific location of the 911 caller.

24.26 Subd. 5. **Business multiline telephone system.** (a) An operator of business multiline
 24.27 telephone systems connected to the public switched telephone network and serving business
 24.28 locations of one employer ~~shall~~ must ensure that calls to 911 from any telephone on the
 24.29 system result in one of the following:

24.30 (1) automatic location identification for each respective emergency response location;

24.31 (2) an ability to direct emergency responders to the 911 caller's location through an
 24.32 alternative and adequate means, such as the establishment of a 24-hour private answering
 24.33 point operated by the employer; or

25.1 (3) a connection to a switchboard operator, attendant, or other designated on-site
25.2 individual.

25.3 (b) Except as provided in paragraph (c), providers of multiline telephone systems serving
25.4 multiple employers' business locations ~~shall~~ must ensure that calls to 911 from any telephone
25.5 result in automatic location identification for the respective emergency response location
25.6 of each business location sharing the system.

25.7 (c) Only one emergency response location is required in the following circumstances:

25.8 (1) an employer's work space is less than 40,000 square feet, located on a single floor
25.9 and on a single contiguous property;

25.10 (2) an employer's work space is less than 7,000 square feet, located on multiple floors
25.11 and on a single contiguous property; or

25.12 (3) an employer's work space is a single public entrance, single floor facility on a single
25.13 contiguous property.

25.14 Subd. 6. **Schools.** A multiline telephone system operated by a public or private
25.15 educational institution, including a system serving dormitories and other residential
25.16 customers, is subject to this subdivision and is not subject to subdivision 3. The operator
25.17 of the education institution multiline system connected to the public switched network must
25.18 ensure that calls to 911 from any telephone on the system result in one of the following:

25.19 (1) automatic location identification for each respective emergency response location;

25.20 (2) an ability to direct emergency responders to the 911 caller's location through an
25.21 alternative and adequate means, such as the establishment of a 24-hour private answering
25.22 point operated by the educational institution; or

25.23 (3) a connection to a switchboard operator, attendant, or other designated on-site
25.24 individual.

25.25 Subd. 7. **Exemptions.** (a) Multiline telephone systems with a single emergency response
25.26 location are exempt from subdivisions 1 and 3 to 6 and section 403.07, subdivision 3.

25.27 (b) Multiline telephone system operators that employ alternative methods of enhanced
25.28 911 support are exempt from subdivisions 1 and 3 to 6 and section 403.07, subdivision 3.

25.29 (c) A multiline telephone system operator may apply for an exemption from the
25.30 requirements in this section from the chief officer of each public safety answering point
25.31 serving that jurisdiction.

26.1 Subd. 8. **Applicability.** The requirements of subdivisions 4, 5, and 6 apply to new
26.2 multiline telephone systems purchased after December 31, 2004. The requirements of
26.3 subdivisions 2 and 3 and the exemptions in subdivision 7 apply regardless of when the
26.4 multiline telephone system was installed.

26.5 Subd. 9. **MLTS location compliance notification.** Beginning July 1, 2022, all vendors
26.6 of MLTSs or hosted MLTS services in Minnesota must disclose to their customers the 911
26.7 location requirements in this chapter and include 911 location compliant capabilities in the
26.8 systems or services they sell. Failure to comply may waive any liability protections for the
26.9 vendor as provided in section 403.025, subdivision 8.

26.10 Sec. 14. **REVISOR INSTRUCTION.**

26.11 The revisor of statutes must renumber Minnesota Statutes, section 403.02, as amended
26.12 by this act, so that the subdivisions are alphabetical. The revisor must correct any
26.13 cross-references made necessary by this renumbering.

26.14 Sec. 15. **REPEALER.**

26.15 Minnesota Statutes 2020, section 403.09, subdivision 3, is repealed.

APPENDIX
Repealed Minnesota Statutes: 22-04824

403.09 ENFORCEMENT.

Subd. 3. **Dispute resolution.** Disputes between parties must be resolved pursuant to section 403.025, subdivision 7, paragraph (c).