

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 127 Session of 2019

INTRODUCED BY REGAN, L. WILLIAMS, COSTA, GORDNER, PHILLIPS-HILL, YAW, BAKER, YUDICHAK, SCHWANK, K. WARD AND J. WARD, JANUARY 28, 2019

AS AMENDED ON SECOND CONSIDERATION, MARCH 18, 2019

AN ACT

1 Amending Title 35 (Health and Safety) of the Pennsylvania
2 Consolidated Statutes, in 911 emergency communication
3 services, further providing FOR DEFINITIONS, for <--
4 telecommunications management and for fund, FOR COUNTIES, FOR <--
5 FUND AND FOR TELEPHONE RECORDS, providing for Legislative
6 Budget and Finance Committee review and further providing for
7 termination of chapter.

8 The General Assembly of the Commonwealth of Pennsylvania
9 hereby enacts as follows:

10 Section 1. Sections 5303(b)(1), (3) and (4) and 5306.1(d)(2) <--
11 of Title 35 of the Pennsylvania Consolidated Statutes are
12 amended to read:

13 § 5303. Telecommunications management.

14 * * *

15 SECTION 1. THE DEFINITIONS OF "911 SYSTEM" AND "PUBLIC <--
16 SAFETY ANSWERING POINT" OR "PSAP" IN SECTION 5302 OF TITLE 35 OF
17 THE PENNSYLVANIA CONSOLIDATED STATUTES ARE AMENDED TO READ:

18 § 5302. DEFINITIONS.

19 THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS CHAPTER
20 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE

1 CONTEXT CLEARLY INDICATES OTHERWISE:

2 * * *

3 "911 SYSTEM." A SYSTEM CAPABLE OF RECEIVING AND PROCESSING A
4 911 COMMUNICATION THROUGHOUT A DEFINED GEOGRAPHIC AREA. THE TERM
5 SHALL INCLUDE A [CITY,] COUNTY[,] OR COUNTY-BASED REGIONAL 911
6 SYSTEM OR A PSAP.

7 * * *

8 "PUBLIC SAFETY ANSWERING POINT" OR "PSAP." THE AGENCY-
9 APPROVED ENTITY THAT RECEIVES 911 COMMUNICATIONS FROM A DEFINED
10 GEOGRAPHIC AREA AND PROCESSES THOSE CALLS ACCORDING TO A
11 SPECIFIC OPERATIONAL POLICY. THE TERM SHALL REFER TO A COUNTY OR
12 COUNTY-BASED REGIONAL 911 SYSTEM.

13 * * *

14 SECTION 2. SECTIONS 5303(A) (15) AND (B) (1), (3) AND (4) OF
15 TITLE 35 ARE AMENDED TO READ:

16 § 5303. TELECOMMUNICATIONS MANAGEMENT.

17 (A) POWERS AND DUTIES OF AGENCY.--THE AGENCY SHALL HAVE THE
18 FOLLOWING POWERS AND DUTIES:

19 * * *

20 (15) TO ADOPT, IN CONSULTATION WITH THE BOARD, MINIMUM
21 TRAINING [AND], CERTIFICATION AND QUALITY ASSURANCE STANDARDS
22 FOR EMERGENCY DISPATCHERS, CALL TAKERS AND SUPERVISORS.

23 * * *

24 (b) Establishment of 911 board.--There is established a
25 board within the agency to be known as the 911 board. The board
26 shall be comprised of the following:

27 (1) The following State officials, who shall serve as
28 voting members:

29 (i) The director of the agency, who shall act as
30 chairperson.

- 1 (ii) The State 911 coordinator.
- 2 (iii) The Commissioner of the Pennsylvania State
3 Police.
- 4 (iv) The chairman of the Veterans Affairs and
5 Emergency Preparedness Committee of the Senate.
- 6 (v) The minority chairman of the Veterans Affairs
7 and Emergency Preparedness Committee of the Senate.
- 8 (vi) The chairman of the Veterans Affairs and
9 Emergency Preparedness Committee of the House of
10 Representatives.
- 11 (vii) The minority chairman of the Veterans Affairs
12 and Emergency Preparedness Committee of the House of
13 Representatives.

14 (viii) The State Fire Commissioner.

15 (ix) The chairperson of the State Geospatial
16 Coordinating Board.

17 * * *

18 (3) A representative from the following State agencies,
19 who shall serve as nonvoting members, to be appointed by the
20 chief executive or administrative officer of each agency:

21 (i) The Pennsylvania Public Utility Commission.

22 [(ii) The Office of the State Fire Commissioner.]

23 (iii) The Governor's Office of Administration.

24 (4) A representative from the following Statewide
25 associations, who shall serve as nonvoting members:

26 (i) The Pennsylvania Chiefs of Police Association.

27 (ii) The Fraternal Order of Police.

28 (iii) The Pennsylvania Emergency Health Services
29 Council.

30 (iv) The Pennsylvania Fire and Emergency Services

1 Institute.

2 (v) The Association of Public-Safety Communications
3 Officials.

4 (vi) The Pennsylvania Chapter of the National
5 Emergency Number Association.

6 (vii) The Keystone Emergency Management Association.

7 (viii) The Pennsylvania Professional Fire Fighters
8 Association.

9 (ix) The Firemen's Association of the State of
10 Pennsylvania.

11 (x) The Pennsylvania Wireless Association.

12 (xi) The Pennsylvania Telephone Association.

13 (xii) The Broadband Cable Association of
14 Pennsylvania.

15 (xiii) The Pennsylvania Municipal League.

16 (xiv) The Pennsylvania State Association of
17 Boroughs.

18 (xv) The Pennsylvania State Association of Township
19 Supervisors.

20 (xvi) The Pennsylvania State Association of Township
21 Commissioners.

22 (xvii) The Ambulance Association of Pennsylvania.

23 (xviii) The Pennsylvania Association of Councils of
24 Governments.

25 * * *

26 SECTION 3. SECTION 5304(A) OF TITLE 35 IS AMENDED BY ADDING <--
27 A PARAGRAPH TO READ:

28 § 5304. COUNTIES.

29 (A) POWERS AND DUTIES.--EACH COUNTY SHALL HAVE THE FOLLOWING
30 POWERS AND DUTIES IN RELATION TO A 911 SYSTEM:

1 * * *

2 (10) TO MAKE REASONABLE EFFORTS TO ENSURE REQUIRED
3 GEOGRAPHIC INFORMATION SYSTEM (GIS) INFORMATION IS AVAILABLE
4 AND MAINTAINED TO SUPPORT NEXT GENERATION 911 CALL DELIVERY.
5 THE FOLLOWING APPLY:

6 (I) COUNTIES MUST COOPERATE WITH EACH OTHER TO
7 DEVELOP THE PSAP BOUNDARY, EMERGENCY SERVICE BOUNDARY,
8 PROVISIONING BOUNDARY AND ROAD CENTERLINE DATA SETS.

9 (II) COUNTIES SHALL SHARE GIS DATA NEEDED TO SUPPORT
10 GEOSPATIAL CALL ROUTING.

11 * * *

12 SECTION 4. SECTIONS 5306.1(D) (2) AND 5309(A) OF TITLE 35 ARE
13 AMENDED TO READ:

14 § 5306.1. Fund.

15 * * *

16 (d) Distribution.--Within 30 days after the end of each
17 quarter, the agency shall determine the amount available from
18 the fund for distribution and make disbursements in accordance
19 with the Statewide 911 plan and this chapter and in accordance
20 with the following:

21 * * *

22 (2) Up to 15% of the amount in the fund shall be used by
23 the agency to establish, enhance, operate or maintain
24 Statewide interconnectivity of 911 systems, including, but
25 not limited to, the use or obligations of money for debt
26 service related to regional or Statewide interconnectivity.
27 Money under this paragraph may also be used to purchase a
28 Statewide system designed to allow individuals to associate <--
29 IDENTIFY their phone numbers with personal information, such <--
30 as a AS ASSOCIATED WITH A PERSON WITH A physical disability, <--

1 so that when an individual makes a 911 call, the PSAP has the<--
2 individual's personal THIS information. <--

3 * * *

4 § 5309. TELEPHONE RECORDS. <--

5 (A) ACCESS.--A TELEPHONE SERVICE SUPPLIER SHALL PROVIDE
6 CUSTOMER TELEPHONE NUMBERS, NAMES AND SERVICE ADDRESSES TO PSAPS
7 WHEN REQUESTED BY THEM FOR USE IN RESPONDING TO 911 CALLS AND
8 FOR THE SYNCHRONIZATION OF REQUIRED GEOGRAPHIC INFORMATION
9 SYSTEM (GIS) DATABASE LAYERS FOR GEOSPATIAL CALL ROUTING WITH
10 THE MASTER STREET ADDRESS GUIDE, THE ALI DATA AND SITE AND
11 STRUCTURE LOCATIONS AND, WHEN REQUIRED, TO PROVIDERS OF
12 EMERGENCY NOTIFICATION SERVICES AND EMERGENCY SUPPORT SERVICES,
13 SOLELY FOR THE PURPOSES OF DELIVERING OR ASSISTING IN THE
14 DELIVERY OF EMERGENCY NOTIFICATION SERVICES AND EMERGENCY
15 SUPPORT SERVICES. A WIRELESS PROVIDER SHALL PROVIDE THE
16 TELEPHONE NUMBER AND GEOGRAPHICAL LOCATION OF THE WIRELESS
17 DEVICE, AS REQUIRED UNDER THE FCC E-911 ORDER, TO PSAPS WHEN
18 REQUESTED BY THEM FOR USE IN RESPONDING TO 911 CALLS. CUSTOMER
19 TELEPHONE NUMBERS, NAMES AND SERVICE ADDRESSES, AND TELEPHONE
20 NUMBERS AND GEOGRAPHICAL LOCATIONS OF WIRELESS DEVICES, SHALL
21 REMAIN THE PROPERTY OF THE DISCLOSING SERVICE SUPPLIER. THE
22 TOTAL COST OF THE 911 SYSTEM SHALL INCLUDE EXPENSES TO REIMBURSE
23 TELEPHONE SERVICE SUPPLIERS FOR PROVIDING AND MAINTAINING 911
24 INFORMATION. A TELEPHONE SERVICE SUPPLIER SHALL NOT BE
25 REIMBURSED DIRECTLY FROM THE FUND FOR PROVIDING AND MAINTAINING
26 911 INFORMATION. THIS INFORMATION SHALL BE USED ONLY IN
27 PROVIDING EMERGENCY RESPONSE SERVICES TO A 911 CALL,
28 SYNCHRONIZING MASTER STREET ADDRESS GUIDE, ALI AND GIS DATA SETS
29 OR FOR PURPOSES OF DELIVERING OR ASSISTING IN THE DELIVERY OF
30 EMERGENCY NOTIFICATION SERVICES OR EMERGENCY SUPPORT SERVICES. A

1 PERSON WHO USES OR DISCLOSES ANI/ALI DATABASE INFORMATION FOR
2 PURPOSES OTHER THAN PROVIDING EMERGENCY RESPONSE SERVICES TO A
3 911 CALL, DELIVERING OR ASSISTING IN THE DELIVERY OF EMERGENCY
4 NOTIFICATION SERVICES COMMITS A MISDEMEANOR OF THE THIRD DEGREE.

5 * * *

6 Section ~~2~~ 5. Title 35 is amended by adding a section to <--
7 read:

8 § 5315. Legislative Budget and Finance Committee review.

9 The Legislative Budget and Finance Committee shall review the
10 annual reports required under this chapter as well as the
11 inventory report under section 5314 (relating to inventory) and
12 shall make recommendations on the reauthorization of the
13 provisions of this chapter by ~~June 30, 2021~~ DECEMBER 31, 2020. <--

14 Section ~~3~~ 6. Section 5398 of Title 35 is amended to read: <--

15 § 5398. Termination.

16 [This] (a) General rule.--Except as set forth in subsection
17 (b), this chapter shall expire June 30, [2019] 2021.

18 (b) Exception.--Section 5304(c) (relating to counties) shall
19 expire June 30, 2019.

20 Section ~~4~~ 7. This act shall take effect immediately. <--