

SENATE BILL 208

By Stewart

AN ACT to amend Tennessee Code Annotated, Title 7,
Chapter 86, relative to the Public Safety and
Emergency Communications Act.

WHEREAS, 2009 marks twenty-five (25) years since the enactment of the Emergency Communications District Law of 1984 that laid the foundation for the statewide implementation of the enhanced 9-1-1 ("E-911") service, which service has greatly advanced public safety, and which law has facilitated increased professionalism in emergency communications, and gained Tennessee well-deserved recognition as the national leader in E-911; and

WHEREAS, since enactment of the 1984 act, each of Tennessee's ninety-five (95) counties, and six (6) municipalities, overwhelmingly approved referenda to authorize the creation of an Emergency Communications District ("ECD") governed by a locally-appointed Board of Directors; and

WHEREAS, the seamless, statewide ECD structure has significantly enhanced the ability of emergency service agencies, such as fire, police, emergency medical, hazardous materials, emergency management, and rescue units, to respond to Homeland Security priorities, and to coordinate responses through improved "public safety answering points" (PSAPs), also known as 911 Dispatch Centers; and

WHEREAS, the 1984 public act was amended in 1998 to include within the E-911 system, users of cellular phones, defined as commercial mobile radio service (CMRS) subscribers, and to create the Tennessee Emergency Communications Board (TECB), and more recently amended to include within the E-911 system of internet-based, Voice over Internet Protocol (VoIP); and

WHEREAS, the impact of cellular (CMRS) and other wireless technology, including VoIP, has created a steady and continuing transition from the number of traditional landline-based telephones, resulting in a revenue loss to Districts from the landline service, and creating a need to update the cellular/CMRS rate structure to provide fairness in funding the E-911 service; and

WHEREAS, reform of the funding will provide each ECD with resources to better cope with the growing demand for the life-saving E-911 service which now represents a majority of calls to PSAPs, the funds necessary to meet the demands of the next generation of E-911 equipment, and to assist funding a professional E-911 workforce of properly-trained dispatchers that assure each of the one hundred sixty (160) PSAPs in Tennessee is prepared to meet these public safety challenges; now, therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. This act shall be known and may be cited as the "Public Safety and Emergency Communications Act".

SECTION 2. Tennessee Code Annotated, Section 7-86-108(a)(1)(B)(i)(a), is amended by deleting the period at the end of the first sentence and by substituting instead the following:

, and not to be less than the residence-classification rate in subdivision (a)(2)(A).

SECTION 3. Tennessee Code Annotated, Section 7-86-303(d)(1), is amended by deleting the language "twenty-five percent (25%)" and by substituting instead the language "sixty-five percent (65%)".

SECTION 4. Tennessee Code Annotated, Section 7-86-303(d)(1), is further amended by adding the following language after the first sentence of such subdivision:

The board shall distribute an additional five percent (5%) of the revenue generated by such a charge to emergency communications districts created either pursuant to § 7-86-105 or this part to the fifty (50) lowest population districts as

determined by the federal decennial census. Distribution by the board shall maximize the share of the lowest population districts within this group, but shall not distribute more to any district within this group than to any more populous district, including those not within this group. Unified or consolidated districts shall receive funding shares as if each were a separate district.

SECTION 5. That this shall take effect July 1, 2009, the public welfare requiring it.