

House File 2254 - Enrolled

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AN ACT

RELATING TO 911 EMERGENCY TELEPHONE AND INTERNET COMMUNICATION SYSTEMS, MAKING APPROPRIATIONS, AND INCLUDING EFFECTIVE DATE PROVISIONS.

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

Section 1. Section 34A.2, Code 2018, is amended by adding the following new subsections:

NEW SUBSECTION. 01. *"911 call processing equipment"* means equipment owned by the department that functions in a host remote environment, provides 911 call processing functionality to public safety answering points, and utilizes the next generation 911 network. *"911 call processing equipment"* includes but is not limited to computer aided dispatch, voice logging recorders, mapping, and emergency medical dispatch.

NEW SUBSECTION. 001. *"911 call processing equipment provider"* means a vendor or vendors selected by the department to provide 911 call processing equipment.

NEW SUBSECTION. 0001. *"911 call transport provider"* means a vendor or vendors selected by the department to deliver aggregated wire-line 911 call traffic to the next generation 911 network and from the next generation 911 network to public safety answering points.

NEW SUBSECTION. 014. *"Next generation 911 network service provider"* means a vendor or vendors selected by the department to provide next generation 911 network functionality.

Sec. 2. Section 34A.2, subsections 2 and 13, Code 2018, are

amended to read as follows:

2. "911 service plan" means a plan that includes the following information:

a. A description of the 911 service area.

b. A list of all public and private safety agencies within the 911 service area.

c. The number of public safety answering points within the 911 service area.

~~d. Identification of the agency responsible for management and supervision of the 911 emergency communication system.~~

~~e.~~ d. (1) A statement of estimated costs to be incurred by the joint 911 service board or the department of public safety, including separate estimates of the following:

(a) Nonrecurring costs, including but not limited to public safety answering points, network equipment, software 911 call processing equipment, internet and telephone access, database, addressing, training, and other capital expenditures, including the purchase or lease of subscriber names, addresses, and telephone information from the local exchange service provider.

(b) Recurring costs, including but not limited to network access fees and other telephone charges, software 911 call processing equipment, internet and telephone access, equipment, and database management, and maintenance, including the purchase or lease of subscriber names, addresses, and telephone information from the local exchange service provider. Recurring costs shall not include personnel costs for a public safety answering point.

(2) Funds deposited in a 911 service fund are appropriated and shall be used for the payment of costs that are limited to nonrecurring and recurring costs directly attributable to the receipt and disposition of the 911 call. Costs do not include expenditures for any other purpose, and specifically exclude costs attributable to other emergency services or expenditures for buildings or personnel, except for the costs of personnel for database management and personnel directly associated with addressing.

~~f. Current equipment operated by affected local exchange service providers, and central office equipment and technology upgrades necessary for the provider to implement 911 service~~

~~within the 911 service area.~~

~~g.~~ e. A schedule for implementation of the plan throughout the 911 service area. The schedule may provide for phased implementation.

~~h.~~ f. The number of telephone access lines and voice over internet protocol service connections capable of access to 911 in the 911 service area.

~~i.~~ g. The total property valuation in the 911 service area.

~~j.~~ h. A plan to migrate to a next generation 911 network.

13. *"Next generation 911 network"* means an internet protocol-enabled system that enables the public to transmit digital information to public safety answering points and is responsible for the delivery of all 911 messages within the state. *"Next generation 911 network"* replaces enhanced 911, ~~and that~~ includes but is not limited to 911 voice and nonvoice messages generated by originating service providers, ESInet, GIS, cybersecurity, and other system components.

Sec. 3. Section 34A.2, subsection 20, paragraph a, Code 2018, is amended to read as follows:

a. The service provides real-time two-way voice communications transmitted using internet protocol, ~~and~~ or a successor protocol.

Sec. 4. Section 34A.7, subsection 2, paragraph a, Code 2018, is amended to read as follows:

a. The surcharge shall be collected as part of the access line service provider's periodic billing to a subscriber. In compensation for the costs of billing and collection, the local exchange service provider may retain one percent of the gross surcharges collected. If the compensation is insufficient to fully recover a local exchange service provider's costs for billing and collection of the surcharge, the deficiency shall be included in the local exchange service provider's costs for ratemaking purposes to the extent it is reasonable and just under [section 476.6](#). The surcharge shall be remitted to the ~~911 service operating authority~~ joint 911 service board for deposit into the 911 service fund quarterly by the local exchange service provider. The total amount for multiple exchanges may be combined.

Sec. 5. Section 34A.7A, subsection 2, paragraph b,

subparagraph (1), Code 2018, is amended to read as follows:

(1) The program manager shall allocate to each joint 911 service board and to the department of public safety a minimum of one thousand dollars per calendar quarter for each public safety answering point within the service area of the department of public safety or joint 911 service board ~~that has submitted an annual written request to the program manager in a form approved by the program manager by May 15 of each year.~~

Sec. 6. Section 34A.7A, subsection 2, paragraph d, Code 2018, is amended by striking the paragraph.

Sec. 7. Section 34A.7A, subsection 2, paragraph e, Code 2018, is amended to read as follows:

e. (1) The program manager shall reimburse ~~wire-line carriers~~ next generation 911 network service providers, 911 call processing equipment providers, 911 call transport providers, and third-party 911 automatic location identification database providers on a calendar quarterly basis for the costs of maintaining and upgrading the next generation 911 components and functionalities beyond the input to the 911 selective router, including the 911 selective router network functionality, 911 call processing equipment, 911 call transport from the next generation 911 network to public safety answering points and from the wireless originating service provider network to the next generation 911 network, and the automatic location identification database.

(2) The program manager may also provide grants to joint 911 service boards and the department of public safety for the purpose of developing and maintaining GIS data to be used in support of the next generation 911 network. The program manager shall provide guidelines, application forms, and notice of the availability of such grants on the department's internet site.

Sec. 8. Section 34A.7A, subsection 2, paragraph g, subparagraph (1), unnumbered paragraph 1, Code 2018, is amended to read as follows:

If moneys remain in the fund after fully paying all obligations under paragraphs "a", "b", "c", "d", and "e", and "f", ~~an amount of up to seven million dollars shall, for the fiscal year beginning July 1, 2017, and ending June 30,~~

~~2018~~, remaining funds shall be expended and distributed in the following priority order:

Sec. 9. Section 34A.8, Code 2018, is amended to read as follows:

34A.8 Local exchange service information — penalty.

1. A local exchange service provider shall furnish to the next generation 911 network service provider, designated by the ~~joint 911 service board~~ department, all names, addresses, and telephone number information concerning its subscribers which will be served by the next generation 911 system network and shall periodically update the local exchange service information. The 911 service provider shall furnish the addresses and telephone number information received from the local exchange service provider to the director for use in the mass notification and emergency messaging system as defined in [section 29C.2](#). The local exchange service provider shall receive as compensation for the provision of local exchange service information charges according to its tariffs on file with and approved by the Iowa utilities board. The tariff charges shall be the same whether or not the local exchange service provider is designated as the next generation 911 network service provider by the ~~joint 911 service board~~ department.

2. *a.* Subscriber information remains the property of the local exchange service provider.

b. The director, program manager, joint 911 service board, local emergency management commission established pursuant to [section 29C.9](#), the designated next generation 911 network service provider, and the public safety answering point, their agents, employees, and assigns shall use local exchange service information provided by the local exchange service provider solely for the purposes of providing 911 emergency telephone service or providing related mass notification and emergency messaging services as described in [section 29C.17A](#) utilizing only the subscriber's information, and it shall otherwise be kept confidential. A person who violates [this section](#) is guilty of a simple misdemeanor.

c. [This chapter](#) does not require a local exchange service provider to sell or provide its subscriber names, addresses,

or telephone number information to any person other than the designated next generation 911 network service provider ~~designated by the joint 911 service board.~~

Sec. 10. CONSOLIDATION OF NEXT GENERATION 911 NETWORK. The department of homeland security and emergency management shall implement its plan to consolidate the wire-line 911 network with the next generation 911 network. During the consolidation, joint 911 service boards shall continue to pay the costs of providing wire-line 911 service. When the department notifies a joint 911 service board that wire-line 911 service is being delivered to public safety answering points within the 911 service area of the joint 911 service board via the next generation 911 network, the joint 911 service board shall no longer be responsible for any associated functions or costs for providing wire-line 911 service and such costs shall be addressed by the department pursuant to section 34A.7A, subsection 2, paragraph "e".

Sec. 11. EFFECTIVE DATE.

1. The section of this Act amending section 34A.7A, subsection 2, paragraph g, subparagraph (1), unnumbered paragraph 1, takes effect July 1, 2018.

2. The remaining sections of this Act, being deemed of immediate importance, take effect upon enactment.

LINDA UPMEYER
Speaker of the House

CHARLES SCHNEIDER
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2254, Eighty-seventh General Assembly.

CARMINE BOAL
Chief Clerk of the House

Approved _____, 2018

KIM REYNOLDS
Governor