

**Senate File 538 - Introduced**

SENATE FILE 538  
BY COMMITTEE ON STATE  
GOVERNMENT

(SUCCESSOR TO SF 249)

**A BILL FOR**

1 An Act relating to 911 emergency telephone service, including  
2 how funds deposited in a 911 service fund may be used, the  
3 costs associated with providing 911 service, and access to  
4 the next generation 911 network.

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

1 Section 1. Section 34A.2, subsection 5, paragraph d,  
2 subparagraph (2), Code 2021, is amended to read as follows:

3 (2) Funds deposited in a 911 service fund are appropriated  
4 and shall be used for the payment of costs that are limited to  
5 nonrecurring and recurring costs directly attributable to the  
6 receipt and disposition of the 911 call. Costs do not include  
7 expenditures for any other purpose, and specifically exclude  
8 costs associated with reimbursement to originating service  
9 providers for providing 911 call delivery service, and costs  
10 attributable to other emergency services or expenditures for  
11 buildings or personnel, except for the costs of personnel for  
12 database management and personnel directly associated with  
13 addressing.

14 Sec. 2. Section 34A.7A, subsection 2, paragraph c, Code  
15 2021, is amended by striking the paragraph.

16 Sec. 3. Section 34A.7A, subsection 2, paragraph f,  
17 subparagraph (1), unnumbered paragraph 1, Code 2021, is amended  
18 to read as follows:

19 If moneys remain in the fund after fully paying all  
20 obligations under paragraphs "a", "b", "c", "d", and "e",  
21 remaining funds shall be expended and distributed in the  
22 following priority order:

23 Sec. 4. Section 34A.8, Code 2021, is amended to read as  
24 follows:

25 **34A.8 Local exchange service information — penalty —**  
26 **recurring costs.**

27 1. A local exchange service provider shall furnish to the  
28 next generation 911 network service provider, designated by  
29 the department, all names, addresses, and telephone number  
30 information concerning its subscribers which will be served  
31 by the next generation 911 network and shall periodically  
32 update the local exchange service information. The 911 service  
33 provider shall furnish the addresses and telephone number  
34 information received from the local exchange service provider  
35 to the director for use in the mass notification and emergency

1 messaging system as defined in [section 29C.2](#). ~~The local~~  
2 ~~exchange service provider shall receive as compensation for~~  
3 ~~the provision of local exchange service information charges~~  
4 ~~according to its tariffs on file with and approved by the Iowa~~  
5 ~~utilities board. The tariff charges shall be the same whether~~  
6 ~~or not the local exchange service provider is designated as the~~  
7 ~~next generation 911 network service provider by the department.~~

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

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

23     *c.* [This chapter](#) does not require a local exchange service  
24 provider to sell or provide its subscriber names, addresses,  
25 or telephone number information to any person other than the  
26 designated next generation 911 network service provider.

27     3. A local exchange service provider shall pay all costs  
28 associated with recurring monthly 911 service.

29     Sec. 5. Section 34A.10, Code 2021, is amended to read as  
30 follows:

31     **34A.10 Next generation 911 network access.**

32     On and after July 1, 2017, only the program manager shall  
33 approve access to the next generation 911 network. The program  
34 manager shall determine the points of ingress and egress for an  
35 originating service provider to access the next generation 911

1 network. An originating service provider shall pay all costs  
2 associated with connecting to the points of ingress and egress.

3 EXPLANATION

4 The inclusion of this explanation does not constitute agreement with  
5 the explanation's substance by the members of the general assembly.

6 This bill relates to 911 emergency telephone service,  
7 including how funds deposited in a 911 service fund may be  
8 used, the costs associated with providing 911 service, and  
9 access to the next generation 911 network.

10 Current law provides that funds deposited in a 911 service  
11 fund shall be used for the payment of costs that are limited to  
12 nonrecurring and recurring costs that are directly attributable  
13 to the receipt and disposition of a 911 call. The bill  
14 provides that these costs do not include costs associated with  
15 reimbursement to originating service providers for providing  
16 911 call delivery service.

17 The bill strikes Code section 34A.7A, subsection 2,  
18 paragraph "c", which provides that from July 1, 2013, until  
19 June 30, 2026, the 911 program manager shall allocate a  
20 percentage of the total amount of surcharge generated to  
21 wireless carriers to recover their costs to deliver E911 phase  
22 1 services. The bill makes a conforming change to Code section  
23 34A.7A, subsection 2, paragraph "f", subparagraph (1).

24 Current law requires a local exchange service provider to  
25 furnish to the next generation 911 network service provider  
26 certain information related to its subscribers and provides  
27 for compensation to the local exchange service provider for  
28 providing this information. The bill strikes the provision  
29 that requires the local exchange service provider to be  
30 compensated for providing this information.

31 The bill provides that a local exchange service provider  
32 shall pay all costs associated with recurring monthly 911  
33 service.

34 The bill requires the program manager to determine the  
35 points of ingress and egress for an originating service

S.F. 538

1 provider to access the next generation 911 network.  
2 Additionally, the bill requires an originating service provider  
3 to pay all costs associated with connecting to the points of  
4 ingress and egress.