

AMENDED IN SENATE AUGUST 17, 2009

AMENDED IN ASSEMBLY JUNE 1, 2009

AMENDED IN ASSEMBLY APRIL 27, 2009

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 912

Introduced by Assembly Member Torres

February 26, 2009

An act to amend Section 41136 of the Revenue and Taxation Code, relating to emergency telephone systems.

LEGISLATIVE COUNSEL'S DIGEST

AB 912, as amended, Torres. Telecommunications: Emergency Telephone Users Surcharge.

Existing law establishes the State Emergency Telephone Number Account in the General Fund, pursuant to which funds derived from a surcharge imposed on amounts paid by every person in the state for intrastate telephone communication service may be appropriated by the Legislature for specified purposes, including costs of administering, operating, and maintaining the state "911" emergency telephone number system.

This bill would ~~require~~ *specify* that a minimum of 0.50% of the charges for intrastate telephone communications services and VoIP service to which the surcharge applies, ~~when appropriated by the Legislature,~~ be ~~allocated~~ *spent* for those specified purposes and costs. ~~This bill would require when appropriated by the Legislature, including, until December 31, 2011,~~ a maximum of 0.25% of the charges for intrastate telephone communications services and VoIP service to which the surcharge applies ~~to the Department of General Services for a~~

one-time payment to Primary Public Safety Answering Points for personnel costs, as specified.

Vote: majority. Appropriation: no. Fiscal committee: yes.
 State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. The Legislature finds and declares all of the
- 2 following:
- 3 (a) The Warren-911-Emergency Assistance Act establishes the
- 4 number “911” as the primary *emergency telephone* number of use
- 5 in this state.
- 6 (b) The Emergency Telephone Users Surcharge Act generally
- 7 imposes a surcharge on amounts paid by every person in the state
- 8 for intrastate telephone service and is imposed at a percentage rate
- 9 range, established in 1980, of between one-half of 1 percent and
- 10 three-quarters of 1 percent. This surcharge is annually estimated
- 11 to provide revenues to fund “911” emergency telephone system
- 12 costs for the current fiscal year. The rate range has remained
- 13 unchanged since 1980.
- 14 (c) In 2005, there were over five million “911” calls, over eight
- 15 million “911” calls in 2006, and an estimated 12 million “911”
- 16 calls in 2007. ~~This increase represents an~~ *represents a* 119 percent
- 17 increase in “911” calls over those past two years alone. The
- 18 Department of the California Highway Patrol, a Public Safety
- 19 Answering Point, receives approximately 750,000 “911” calls
- 20 monthly at its 24 answering points statewide.
- 21 (d) This rapid increase has made it difficult for Public Safety
- 22 Answering Points, including the Department of the California
- 23 Highway Patrol, to meet the 10-second answering guideline
- 24 recommended by the National Emergency Number Association
- 25 and accepted by the industry, potentially affecting the safety and
- 26 well-being of “911” callers.
- 27 (e) “911” call volumes continue to grow and additional
- 28 personnel with the appropriate training and skills, including
- 29 language skills, is needed to meet the 10-second answering
- 30 guideline.
- 31 ~~(f) The current rate range, established in 1980, has not been~~
- 32 ~~adjusted to reflect the increase in costs in receiving and routing~~

1 ~~“911” calls associated with the increase in the volume of “911”~~
2 ~~calls in the state.~~

3 SEC. 2. Section 41136 of the Revenue and Taxation Code is
4 amended to read:

5 41136. Funds in the State Emergency Telephone Number
6 Account shall, when appropriated by the Legislature, be spent
7 solely for the following purposes:

8 (a) A minimum of one-half of 1 percent of the charges for
9 intrastate telephone communications services and VoIP service to
10 which the surcharge applies as follows:

11 (1) To pay refunds authorized by this part.

12 (2) To pay the State Board of Equalization for the cost of the
13 administration of this part.

14 (3) To pay the ~~Department of General Services~~ *office of the*
15 *State Chief Information Officer* for its costs in administration of
16 the “911” emergency telephone number system.

17 (4) To pay bills submitted to the ~~Department of General Services~~
18 *office of the State Chief Information Officer* by service suppliers
19 or communications equipment companies for the installation of,
20 and ongoing expenses for, the following communications services
21 supplied to local agencies in connection with the “911” emergency
22 phone number system:

23 (A) A basic system.

24 (B) A basic system with telephone central office identification.

25 (C) A system employing automatic call routing.

26 (D) Approved incremental costs.

27 (5) To pay claims of local agencies for approved incremental
28 costs, not previously compensated for by another governmental
29 agency.

30 (6) To pay claims of local agencies for incremental costs and
31 amounts, not previously compensated for by another governmental
32 agency, incurred prior to the effective date of this part, for the
33 installation and ongoing expenses for the following communication
34 services supplied in connection with the “911” emergency phone
35 number system:

36 (A) A basic system.

37 (B) A basic system with telephone central office identification.

38 (C) A system employing automatic call routing.

39 (D) Approved incremental costs. Incremental costs shall not be
40 allowed unless the costs are concurred in by the ~~Division of~~

1 Telecommunications of the Department of General Services office
2 of the State Chief Information Officer.
3 (b) (1) ~~A~~ For the purposes of paragraph (5) of subdivision (a),
4 the term incremental costs shall include a maximum of one-quarter
5 of 1 percent of the charges for intrastate telephone communications
6 services and VoIP service to which the surcharge applies to the
7 Department of General Services for a one-time payment to Primary
8 Public Safety Answering Points for the cost necessary to recruit
9 and train additional personnel necessary to accept wireless
10 enhanced “911” calls from within their jurisdiction routed directly
11 to their call centers.
12 (2) Funds allocated pursuant to this subdivision shall
13 supplement, and not supplant, existing funding for these services.
14 (3) This subdivision shall remain in effect only until December
15 31, 2011.

O