

Assembly Bill No. 912

Passed the Assembly September 3, 2009

Chief Clerk of the Assembly

Passed the Senate August 31, 2009

Secretary of the Senate

This bill was received by the Governor this _____ day
of _____, 2009, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

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

LEGISLATIVE COUNSEL'S DIGEST

AB 912, 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 specify that a minimum of 0.50% of the charges for intrastate telephone communications services and VoIP service to which the surcharge applies be spent for those specified purposes and costs, 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 for a one-time payment to Primary Public Safety Answering Points for personnel costs, as specified.

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

SECTION 1. The Legislature finds and declares all of the following:

(a) The Warren-911-Emergency Assistance Act establishes the number "911" as the primary emergency telephone number of use in this state.

(b) The Emergency Telephone Users Surcharge Act generally imposes a surcharge on amounts paid by every person in the state for intrastate telephone service and is imposed at a percentage rate range, established in 1980, of between one-half of 1 percent and three-quarters of 1 percent. This surcharge is annually estimated to provide revenues to fund "911" emergency telephone system

costs for the current fiscal year. The rate range has remained unchanged since 1980.

(c) In 2005, there were over five million “911” calls, over eight million “911” calls in 2006, and an estimated 12 million “911” calls in 2007. This represents a 119 percent increase in “911” calls over those past two years alone. The Department of the California Highway Patrol, a Public Safety Answering Point, receives approximately 750,000 “911” calls monthly at its 24 answering points statewide.

(d) This rapid increase has made it difficult for Public Safety Answering Points, including the Department of the California Highway Patrol, to meet the 10-second answering guideline recommended by the National Emergency Number Association and accepted by the industry, potentially affecting the safety and well-being of “911” callers.

(e) “911” call volumes continue to grow and additional personnel with the appropriate training and skills, including language skills, is needed to meet the 10-second answering guideline.

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

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

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

(1) To pay refunds authorized by this part.

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

(3) To pay the office of the State Chief Information Officer for its costs in administration of the “911” emergency telephone number system.

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

(A) A basic system.

- (B) A basic system with telephone central office identification.
- (C) A system employing automatic call routing.
- (D) Approved incremental costs.

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

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

- (A) A basic system.
- (B) A basic system with telephone central office identification.
- (C) A system employing automatic call routing.
- (D) Approved incremental costs. Incremental costs shall not be allowed unless the costs are concurred in by the office of the State Chief Information Officer.

(b) (1) For the purposes of paragraph (5) of subdivision (a), the term incremental costs shall include a maximum of one-quarter of 1 percent of the charges for intrastate telephone communications services and VoIP service to which the surcharge applies for a one-time payment to Primary Public Safety Answering Points for the cost necessary to recruit and train additional personnel necessary to accept wireless enhanced “911” calls from within their jurisdiction routed directly to their call centers.

(2) Funds allocated pursuant to this subdivision shall supplement, and not supplant, existing funding for these services.

(3) This subdivision shall remain in effect only until December 31, 2011.

Approved _____, 2009

Governor