

**ASSEMBLY BILL**

**No. 2737**

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**Introduced by Assembly Member Block**

February 19, 2010

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An act to add Article 6.7 (commencing with Section 53128) to Chapter 1 of Part 1 of Division 2 of Title 5 of the Government Code, relating to telecommunications.

LEGISLATIVE COUNSEL'S DIGEST

AB 2737, as introduced, Block. "211" telephone number system.

Existing law requires a public safety agency, as defined, to maintain a "911" emergency telephone number, as specified, and sets forth the duties of the Division of Telecommunications of the Department of General Services, including the provision of management oversight of statewide telecommunications developments. Existing law authorizes a local public agency, as defined, to establish a nonemergency "311" telephone system, and authorizes the Division of Telecommunications to, among other things, aid local public agencies in the formulation of concepts, methods, and procedures that will improve the operation of the "311" systems and to increase cooperation among public agencies.

This bill would authorize the Public Utilities Commission to designate a lead entity for the implementation of a "211" abbreviated telephone dialing system throughout the state to provide information and referral services in accordance with applicable federal law. The bill would provide that a 211 information and referral services provider and its employees, directors, officers, agents, or any public or nonprofit agency that provides information to a "211" system are not liable to any person in a civil action for injuries or losses to persons or property, as a result of an act or omission of the provider or its employees, directors, officers,

or agents, in connection with certain specified activities, unless the act or omission constitutes willful or wanton misconduct.

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. (a) The Legislature hereby finds and declares  
2 all of the following:

3 (1) Californians need easy-to-find, easy-to-access information  
4 for their social services needs as provided by “211” call centers.

5 (2) Californians experience major disasters every year and need  
6 up-to-date, accurate information during those disasters in a manner  
7 that prevents overloading “911” systems with nonemergency calls.

8 (3) Over the past several years, California has experienced major  
9 wildfire and other natural disasters where the population either  
10 benefited from, or could have benefited from, a “211” system that  
11 provided information regarding evacuation, shelters, and other  
12 services.

13 (4) In 2008, “211” call centers in California handled over 1.2  
14 million calls to assist people in finding the help they needed.

15 (5) At a time of great economic crisis, with “211” call centers  
16 experiencing a 40-percent increase in calls for help, “211” is more  
17 important than ever to providing Californians access to the  
18 information and services they need.

19 (6) California families are struggling in this economic recession.  
20 With the unemployment rate surpassing 10 percent in the state,  
21 many workers are losing their jobs, their homes, and their health  
22 care. All too often, families and individuals don’t know where to  
23 turn for help. “211” is an easy-to-remember number that provides  
24 access to telephone and Internet-based means to connect people  
25 to the help they need now, and allows the caller to speak to a live  
26 person about his or her needs.

27 (7) Many Californians, including senior citizens, people with  
28 disabilities, and low-income families, have restricted mobility.  
29 Where available, Californians can call “211” to obtain information  
30 on transportation services or other social services in order to help  
31 them maintain their independence.

32 (8) Many of the counties that do not have a “211” system lack  
33 the resources to plan and implement a “211” system on their own.

1 These counties need the assistance of the state and federal  
2 governments to help their residents access health and human  
3 service programs and disaster response information.

4 (9) In authorizing the use of the “211” dialing code, the Federal  
5 Communications Commission found that “[i]ndividuals facing  
6 serious threats to life, health, and mental well-being have urgent  
7 and critical needs that are not addressed by dialing 9-1-1 for  
8 emergency assistance or 3-1-1 for nonemergency police  
9 assistance.”

10 (10) Californians need help navigating the sea of telephone help  
11 lines available to assist them, many of which rely on automated  
12 menu systems, only provide recorded information, or lack the  
13 capability to provide multilingual service or evening and weekend  
14 service. Research shows it sometimes takes a caller as many as  
15 eight separate calls to be connected with the appropriate resource.  
16 The “211” system allows those in need to make one free call to  
17 access the information and resources they need, in 140 different  
18 languages, 24 hours a day.

19 (11) The 2-1-1 California Partnership (2-1-1 California), a  
20 partnership of the California Alliance of Information and Referral  
21 Services (CAIRS) and the United Ways of California, currently  
22 coordinates statewide planning and research activities and provides  
23 leadership for “211” systems in California. 2-1-1 California has  
24 worked with key state agencies to establish and improve “211”  
25 systems in California, including the Public Utilities Commission,  
26 the California Emergency Management Agency, the State 911  
27 Advisory Board, the California Health and Human Services  
28 Agency, California Volunteers, the Department of Transportation,  
29 the Department of Food and Agriculture, and the Department of  
30 Veterans Affairs.

31 (12) 2-1-1 California is governed under the leadership of CAIRS  
32 and the United Ways of California, which are the main entities in  
33 the state that provide funding, training, standards, and technical  
34 support to the “211” call centers and oversee operations and  
35 planning for expanding “211” coverage statewide.

36 (13) Currently, there are 23 California counties with established  
37 “211” systems, serving 87 percent of the state’s population. All  
38 “211” call centers in California look to 2-1-1 California for  
39 direction, guidance, and leadership.

1 (14) Federal legislation, H.R.211 and S.211, which would direct  
 2 grants to each state to carry out a program for making available  
 3 throughout that state the 211 telephone service for information  
 4 and referral on human services, is close to passing in 2010. There  
 5 are currently 191 bipartisan cosponsors in the House of  
 6 Representatives, and 56 in the Senate. CAIRS and United Way  
 7 expect this authorizing legislation to pass this year, and  
 8 appropriations to begin in 2011.

9 (b) It is the intent of the Legislature to do all of the following:

10 (1) Ensure that the state has a process for complying with federal  
 11 law that will require each state to have a 211 lead entity to  
 12 coordinate the distribution of federal funds and to ensure that the  
 13 state’s 211 system is in compliance with federal requirements.

14 (2) Ensure that all Californians have access to an  
 15 easy-to-remember, toll-free number that can help them access the  
 16 information, services, and benefits they need from public and  
 17 nonprofit social service and emergency service providers.

18 (3) Ensure that the state has a more efficient and cost-beneficial  
 19 way to provide information, while saving public agencies the costs  
 20 of operating many help lines and reducing misdirected service  
 21 requests from the general public.

22 SEC. 2. Article 6.7 (commencing with Section 53128) is added  
 23 to Chapter 1 of Part 1 of Division 2 of Title 5 of the Government  
 24 Code, to read:

25  
 26 Article 6.7. 211 Telephone Dialing System for Nonemergency  
 27 Information and Referral Service  
 28

29 53128. (a) As used in this article, “211 information and referral  
 30 service provider” means an information and referral service  
 31 provider authorized by the Public Utilities Commission to use the  
 32 “211” abbreviated telephone dialing code, the primary purpose of  
 33 which is to maintain information about human service resources  
 34 in the service area and to link people who need assistance with  
 35 appropriate service providers and to supply descriptive information  
 36 about existing service providers.

37 (b) Except as specified in subdivision (c), a 211 information  
 38 and referral service provider and its employees, directors, officers,  
 39 agents, or any public or nonprofit agency that provides information  
 40 to a “211” system, are not liable to any person in a civil action for

1 injuries or losses to persons or property, as a result of an act or  
2 omission of the authorized information and referral service provider  
3 and its employees, directors, officers, agents, or any public or  
4 nonprofit agency that supplies information to a “211” system, in  
5 connection with any of the following:

6 (1) Developing, adopting, implementing, maintaining, or  
7 operating a “211” system.

8 (2) Making “211” available for use by the public.

9 (3) Providing “211” services.

10 (c) Subdivision (b) is not applicable to injuries or losses resulting  
11 from the willful or wanton misconduct of the information and  
12 referral service provider or its employees, directors, officers,  
13 agents, or any public or nonprofit agency that supplies information  
14 to a “211” system.

15 53128.1. (a) The Public Utilities Commission may designate  
16 a lead entity, as provided in subdivision (b), for the implementation  
17 of a “211” abbreviated telephone dialing system throughout the  
18 state in accordance with applicable federal law.

19 (b) The lead entity may be a state agency, the Public Utilities  
20 Commission, an entity that exists by order or decision of the Public  
21 Utilities Commission, or a collaborative entity established for that  
22 purpose from among the following:

23 (1) An informal existing 2-1-1 statewide collaborative, if any,  
24 in the state.

25 (2) State agencies.

26 (3) Community-based organizations.

27 (4) Faith-based organizations.

28 (5) Not-for-profit organizations.

29 (6) Comprehensive and specialized information and referral  
30 providers, including current 2-1-1 call centers.

31 (7) Foundations.

32 (8) Businesses.

33 (c) An entity designated as the lead entity pursuant to  
34 subdivision (b) shall collaborate, to the extent practicable, with  
35 other organizations and entities listed in that subdivision. All state  
36 agencies and other official state organizations may provide  
37 reasonable assistance and cooperation in carrying out the purposes  
38 of this article, including, but not limited to, promoting the use of  
39 “211” telephone dialing for access to health and social services  
40 and for disaster response information.

1 53128.2. The lead entity, to the extent feasible, shall meet all  
2 of the following qualifications:

3 (a) Consist of representatives from different geographic areas  
4 of the state.

5 (b) Demonstrate experience in statewide “211” planning and  
6 implementation efforts in the state.

7 (c) Demonstrate established relationships with information and  
8 referral service providers throughout the state, and the means to  
9 maintain those relationships.

10 (d) Demonstrate established relationships with national  
11 information and referral service interests and with information and  
12 referral service interests in other states.

13 (e) Demonstrate substantial expertise with the operational  
14 requirements of information and referral service providers in the  
15 state, including, but not limited to, database resources, software  
16 requirements, and referral practices.

17 (f) Have the endorsement of “211” information and referral  
18 service providers to act as the lead entity and to represent the  
19 system in statewide matters.

20 53128.3. The lead entity shall do all of the following:

21 (a) Perform planning, administrative, fiscal, and reporting  
22 functions required under any state and federal “211” funding  
23 program.

24 (b) Develop a plan for implementation of “211” services  
25 throughout the state.

26 (c) Allocate “211” funds to entities in accordance with  
27 applicable law.

28 (d) Report activities and progress as requested by the Legislature  
29 or the Public Utilities Commission.

30 (e) Act as liaison between state agencies and information and  
31 referral service providers, local exchange carriers, and local public  
32 agencies for the purposes of coordinating communication, training,  
33 and development of public-private partnerships and updating  
34 statewide service information.

35 (f) Operate the system in a manner that is consistent with the  
36 applicable orders of the Federal Communications Commission  
37 and the Public Utilities Commission.

38 53128.4. In administering funding, the lead entity shall  
39 accomplish all of the following:

1 (a) Maximize the federal funds available to 211 information  
2 and referral providers to provide comprehensive information and  
3 referral services throughout the state.

4 (b) Consider population, poverty rates, and geographic isolation  
5 when allocating funds.

6 (c) When initially allocating funds, consider information and  
7 referral service providers' developmental requirements in addition  
8 to their operational requirements.

9 (d) Ensure that any fund matching requirement is met.

10 53128.5. (a) The activities of the lead entity may be funded  
11 in any of the following manners:

12 (1) Through compliance with federal funding opportunities, to  
13 the extent consistent with state law, including potential future  
14 funding through the proposed Calling for 2-1-1 Act of 2009 (S.  
15 211 and H.R. 211).

16 (2) Upon appropriation by the Legislature.

17 (3) By other public and private sources.

18 (4) Notwithstanding subdivision (a), the responsibilities of the  
19 lead entity, pursuant to this article, are contingent upon the  
20 availability of federal funds, and the lead entity is not required to  
21 carry out the requirements of this article until those federal funds  
22 are available.