

AMENDED IN SENATE JULY 15, 2015

AMENDED IN SENATE JUNE 22, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 510

Introduced by Assembly Members Rodriguez and Williams

February 23, 2015

An act to *add Section 15277.5 to the Government Code, and to repeal and amend Section 41030 of the Revenue and Taxation Code, relating to emergency services, and declaring the urgency thereof, to take effect immediately.*

LEGISLATIVE COUNSEL'S DIGEST

AB 510, as amended, Rodriguez. ~~Emergency~~ *Wireless 911 calls: emergency telephone user surcharge.*

Existing law establishes the Public Safety Communications Division within the Office of Emergency Services, under the supervision of a chief, to carry out specific duties relating to state needs and plans for public safety communications systems and equipment.

This bill would require the division to require its California 911 Emergency Communications Branch to work with the Department of the California Highway Patrol to continue the work of the Routing on Empirical Data (RED) Project by using the technology and procedures employed in that project to assist in determining whether wireless 911 calls should be routed to a local public safety answering point or a California Highway Patrol call center. The bill would require that the project use historical empirical call data to determine the most efficient routing for wireless 911 calls.

The Emergency Telephone Users Surcharge Act generally imposes a surcharge on amounts paid by every person in the state for intrastate telephone service to provide revenues sufficient to fund “911” emergency telephone system costs, and requires the Office of Emergency Services to annually determine the surcharge rate, subject to a specified formula, that it estimates will produce sufficient revenue to fund the current fiscal year’s 911 costs, as specified.

This bill would instead impose the surcharge at a flat monthly rate of between \$0.15 and \$0.75, determined annually by the office.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: yes.

State-mandated local program: no.

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

1 SECTION 1. Section 15277.5 is added to the Government Code,
2 to read:

3 15277.5. The division shall require its California 911
4 Emergency Communications Branch to work with the Department
5 of the California Highway Patrol to continue the work of the
6 Routing on Empirical Data (RED) Project by using the technology
7 and procedures employed in that project to assist in determining
8 whether wireless 911 calls should be routed to a local public safety
9 answering point or a California Highway Patrol call center. The
10 project pursuant to this section shall use historical empirical call
11 data to determine the most efficient routing for wireless 911 calls.

12 ~~SECTION 1.~~

13 SEC. 2. Section 41030 of the Revenue and Taxation Code, as
14 added by Section 6 of Chapter 885 of the Statutes of 2014, is
15 repealed.

16 ~~SEC. 2.~~

17 SEC. 3. Section 41030 of the Revenue and Taxation Code, as
18 amended by Chapter 926 of the Statutes of 2014, is amended to
19 read:

20 41030. (a) The Office of Emergency Services shall determine
21 annually, on or before October 1, to be effective on January 1 of
22 the following year, a surcharge rate pursuant to subdivision (b)
23 that it estimates will produce sufficient revenue to fund the current
24 fiscal year’s 911 costs.

1 (b) Commencing with the calculation made October 1, 2015,
2 to be effective January 1, 2016, the surcharge shall be determined
3 by the Office of Emergency Services using estimates for the current
4 fiscal year of 911 costs approved pursuant to Article 6
5 (commencing with Section 53100) of Chapter 1 of Part 1 of
6 Division 2 of Title 5 of the Government Code for the period of
7 January 1 to December 31, inclusive, of the next succeeding
8 calendar year, but in no event shall the surcharge rate in any year
9 be less than fifteen cents (\$0.15) per month or greater than
10 seventy-five cents (\$0.75) per month.

11 (c) When determining the surcharge rates pursuant to this
12 section, the office shall include the costs it expects to incur to plan,
13 test, implement, and operate Next Generation 911 technology and
14 services, including text to 911 service, consistent with the plan
15 and timeline required by Section 53121 of the Government Code.

16 (d) The office shall notify the board of the surcharge rate
17 determined pursuant to this section and the surcharge rate
18 applicable to prepaid mobile telephony services by October 15 of
19 each year.

20 (e) At least 30 days prior to determining the surcharge pursuant
21 to subdivision (a), the Office of Emergency Services shall prepare
22 a summary of the calculation of the proposed surcharge and make
23 it available to the public, the Legislature, the 911 Advisory Board,
24 and on its Internet Web site. The summary shall contain all of the
25 following:

26 (1) The prior year revenues to fund 911 costs, including, but
27 not limited to, revenues from prepaid service.

28 (2) Projected expenses and revenues from all sources, including,
29 but not limited to, prepaid service to fund 911 costs.

30 (3) The rationale for adjustment to the surcharge determined
31 pursuant to subdivision (b), including, but not limited to, all
32 impacts from the surcharge collected pursuant to Part 21
33 (commencing with Section 42001).

34 (f) This section shall remain in effect only until January 1, 2020,
35 and as of that date is repealed, unless a later enacted statute, that
36 is enacted before January 1, 2020, deletes or extends that date.

37 ~~SEC. 3.~~

38 *SEC. 4.* Section 41030 of the Revenue and Taxation Code, as
39 added by Chapter 926 of the Statutes of 2014, is amended to read:

1 41030. (a) The Office of Emergency Services shall determine
 2 annually, on or before October 1, a surcharge rate that it estimates
 3 will produce sufficient revenue to fund the current fiscal year’s
 4 911 costs. The surcharge rate shall apply for the period of January
 5 1 to December 31, inclusive, of the next succeeding calendar year,
 6 but in no event shall the surcharge rate in any year be less than
 7 fifteen cents (\$0.15) per month or greater than seventy-five cents
 8 (\$0.75) per month.

9 (b) When determining the surcharge rate, the office shall include
 10 the costs it expects to incur to plan, test, implement, and operate
 11 Next Generation 911 technology and services, including text to
 12 911 service, consistent with the plan and timeline required by
 13 Section 53121 of the Government Code.

14 (c) At least one month before determining the surcharge rate
 15 pursuant to subdivision (a), the office shall prepare a summary of
 16 the calculation of the proposed surcharge and make it available to
 17 the Legislature and the 911 Advisory Board, and on the office’s
 18 Internet Web site.

19 (d) This section shall become operative on January 1, 2020.

20 ~~SEC. 4.~~

21 *SEC. 5.* This act is an urgency statute necessary for the
 22 immediate preservation of the public peace, health, or safety within
 23 the meaning of Article IV of the Constitution and shall go into
 24 immediate effect. The facts constituting the necessity are:

25 In order to *restart the Routing on Empirical Data (RED) Project*
 26 *for efficient routing of wireless 911 calls and to fully fund the*
 27 *“911” emergency telephone number system, it is necessary that*
 28 *this act take effect immediately.*