

BILL ANALYSIS

C.S.H.B. 802
By: Geren
Regulated Industries
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Currently, state law requires certain telephone shared service arrangements to have private switch 9-1-1 services if the end-user is a residential customer, but does not currently require shared service arrangements to have the private switch 9-1-1 enhancement if the end-user is a non-affiliated business tenant or a private telephone system user consolidating phone services at two or more locations. Without the private switch 9-1-1 service enhancement, 9-1-1 callers can not be located by a dispatcher if the caller is unable to communicate or if the call is disconnected before all vital information is obtained. C.S.H.B. 802 will require some business service users to provide a private switch 9-1-1 service enhancement.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

SECTION 1. Amends section 772.218, Health and Safety Code and provides that private telephone systems providing services to non-affiliated tenants must have private switch 911 service. The bill also provides that private telephone systems consolidating phone services at two or more locations must have a system configured to support private switch 911 service

Subsection (f) of the bill requires hotels and motels that do not have phone operator staffing 24 hours/7 days per week to have private switch 911 service so that specific rooms can be identified during an emergency 911 phone call.

The bill also allows for limited liability of service providers. This affords the same limited liability upon those in voluntary compliance with these provisions as those who are mandated to comply.

Subsection (h) of the committee substitute exempts public school districts and state agencies from the requirements of subsections (d) and (e) of the bill.

Subsection (i) provides that subsections (d), (e), and (f) of the bill apply only to telecommunication systems installed on or after September 1, 2003

SECTION 2. Effective date

EFFECTIVE DATE

September 1, 2003.

COMPARISON OF ORIGINAL TO SUBSTITUTE

Subsection (h) of the committee substitute exempts public school districts and state agencies from the requirements of subsections (d) and (e) of the bill. Initially, as filed, subsection (h) of the bill exempted only

public school districts from the provisions of subsections (d) and (e) of the bill until the later of September 1, 2005, or when a new telecommunication system was installed by a public school district.

Subsection (i) is added to the bill in the committee substitute, and SECTION 2 of the bill as filed is deleted. New subsection (i) provides that subsections (d), (e), and (f) of the bill apply only to telecommunication systems installed on or after September 1, 2003

As filed, SECTION 2 of the bill required compliance with subsections (d), (e), and (f) of the bill by and not later than September 1, 2005. The new SECTION 2 makes this act take effect on September 1, 2003.