

By: Geren

H.B. No. 708

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to a wireless priority service program for mobile  
3 telecommunication services.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 771.051(a), Health and Safety Code, is  
6 amended to read as follows:

7 (a) The commission is the state's authority on emergency  
8 communications. The commission shall:

9 (1) administer the implementation of statewide 9-1-1  
10 service and the telecommunications requirements for poison control  
11 centers under Chapter 777;

12 (2) develop minimum performance standards for  
13 equipment and operation of 9-1-1 service to be followed in  
14 developing regional plans under Section 771.055, including  
15 requirements that the plans provide for:

16 (A) automatic number identification by which the  
17 telephone number of the caller is automatically identified at the  
18 public safety answering point receiving the call; and

19 (B) other features the commission considers  
20 appropriate;

21 (3) examine and approve or disapprove regional plans  
22 as provided by Section 771.056;

23 (4) recommend minimum training standards, assist in  
24 training, and provide assistance in the establishment and operation

1 of 9-1-1 service;

2 (5) allocate money to prepare and operate regional  
3 plans as provided by Section 771.056;

4 (6) develop and provide public education materials and  
5 training;

6 (7) plan, implement, operate, and maintain poison  
7 control center databases and assist in planning, supporting, and  
8 facilitating 9-1-1 databases, as needed;

9 (8) provide grants or contracts for services that  
10 enhance the effectiveness of 9-1-1 service;

11 (9) coordinate emergency communications services and  
12 providers;

13 (10) make reasonable efforts to gain voluntary  
14 cooperation in the commission's activities of emergency  
15 communications authorities and providers outside the commission's  
16 jurisdiction, including:

17 (A) making joint communications to state and  
18 federal regulators; and

19 (B) arranging cooperative purchases of equipment  
20 or services;

21 (11) administer the wireless priority service program  
22 under Subchapter G; and

23 (12) [~~(11)~~] accept, receive, and deposit in its account  
24 in the general revenue fund gifts, grants, and royalties from  
25 public and private entities. Gifts, grants, and royalties may be  
26 used for the purposes of the commission.

27 SECTION 2. Chapter 771, Health and Safety Code, is amended

1 by adding Subchapter G to read as follows:

2 SUBCHAPTER G. WIRELESS PRIORITY SERVICE

3 Sec. 771.151. DEFINITIONS. In this subchapter:

4 (1) "Commercial mobile telecommunication service  
5 provider" means a commercial provider of voice-based mobile  
6 telecommunication services in accordance with 47 U.S.C. Section  
7 151, et seq., and its subsequent amendments, and federal  
8 regulations.

9 (2) "Program" means the wireless priority service  
10 program under this subchapter.

11 Sec. 771.152. WIRELESS PRIORITY SERVICE PROGRAM. (a) The  
12 commission shall administer a wireless priority service program to  
13 ensure that public safety and emergency management personnel have  
14 access to mobile telecommunication services during emergencies,  
15 including natural disasters.

16 (b) The commission may adopt rules as necessary to implement  
17 the program.

18 Sec. 771.153. REQUIRED PARTICIPATION. As a condition of  
19 engaging in business in this state, a commercial mobile  
20 telecommunication service provider must participate in the  
21 program.

22 Sec. 771.154. PROGRAM REQUIREMENTS. (a) The program must  
23 enable eligible public safety and emergency management personnel  
24 that encounter system congestion using a mobile telecommunication  
25 service to connect a telephone call through the service using a  
26 specified numeric prefix or using another similar mechanism.

27 (b) The commission by rule shall establish:

1           (1) public safety and emergency management personnel  
2 eligible for priority access to mobile telecommunication services  
3 under the program; and

4           (2) the manner in which commercial mobile  
5 telecommunication service providers participate in the program.

6           SECTION 3. The Commission on State Emergency Communications  
7 shall establish the wireless priority service program as required  
8 by this Act not later than September 1, 2004.

9           SECTION 4. This Act takes effect immediately if it receives  
10 a vote of two-thirds of all the members elected to each house, as  
11 provided by Section 39, Article III, Texas Constitution. If this  
12 Act does not receive the vote necessary for immediate effect, this  
13 Act takes effect September 1, 2003.