

BILL ANALYSIS

Senate Research Center

C.S.S.B. 788
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Business & Commerce
4/7/2015
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

In 1968, Congress established "9-1-1" as a universal emergency number, although it took many years for it to be implemented nationwide. Generations of children have been taught to call 9-1-1 in emergency situations. Unfortunately, some multi-line telephone systems in hotels and other establishments are programmed to require a person to first dial "9" to get an outside line.

On December 1, 2013, Kari Hunt agreed to bring her children to meet her estranged husband in a Marshall, Texas, motel room, but the meeting turned violent. Hunt's oldest daughter, just nine years old at the time, did what she had been taught to do. She called 9-1-1, but the call never went through to the authorities because there was a requirement to dial "9" for an outside line. Kari Hunt died of her injuries before help arrived.

C.S.S.B. 788, Kari's Law, requires operators of multi-line telephone systems to configure the system to allow a person initiating a 9-1-1 call on the system to access 9-1-1 service by dialing the digits 9-1-1 without an additional, code, digit, prefix, postfix, or trunk-access code.

C.S.S.B. 788 amends current law relating to requiring direct access to 9-1-1 service from certain telephone systems and equivalent systems that use Internet Protocol enabled services.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Commission on State Emergency Communications in SECTION 2 (Section 771A.001, Health and Safety Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Requires that this Act be known as Kari's Law.

SECTION 2. Amends Subtitle B, Title 9, Health and Safety Code, by adding Chapter 771A, as follows:

CHAPTER 771A. ACCESS TO EMERGENCY COMMUNICATIONS SERVICES IN GENERAL

Sec.771A.001. DIRECT ACCESS TO 9-1-1 SERVICE REQUIRED. (a) Defines "9-1-1 service," "business service user," "commission," "emergency communication district," "Internet Protocol enabled service," and "telephone system."

(b) Provides that this section applies to the extent the section is not inconsistent with or preempted by federal law.

(c) Requires a business service user that owns or controls a telephone system or an equivalent system that uses Internet Protocol enabled service and provides outbound dialing capacity or access to configure the telephone system or equivalent system to allow a person initiating a 9-1-1 call on the system to directly access 9-1-1 service by dialing the digits 9-1-1 without an additional code, digit, prefix, postfix, or trunk-access code, notwithstanding any other law.

(d) Requires a business service user that provides residential or business facilities, owns or controls a telephone system or an equivalent system that uses Internet

Protocol enabled service, and provides outbound dialing capacity or access to configured the telephone system or equivalent system to provide a notification to a central location on the site of the residential or business facility when a person within the residential or business facility dials 9-1-1 if the system is able to be configured to provide the notification without an improvement to the system's hardware. Provides that this subsection does not require a business service user to have a person available at the central location to receive a notification.

(e) Requires the Commission on State Emergency Communication (CSEC) or the applicable emergency communication district to grant a one-year waiver of the requirements under this section to a business service user if:

(1) the requirements would be unduly and unreasonably cost prohibitive for a business service user to comply with; and

(2) the business service user provides an affidavit not later than September 1 of each year stating:

(A) the manufacturer and model number of the telephone system or equivalent system that needs to be reprogrammed or replaced;

(B) that the business service user made a good faith attempt to reprogram or replace the system; and

(C) if the telephone system or equivalent system does not comply with Subsection (c), that the business service user agrees to place an instructional sticker immediately adjacent to each telephone that is accessed using the noncompliant system indicating that during the waiver period the telephone is unable to directly dial 9-1-1 and providing instructions for accessing 9-1-1 in case of an emergency. Requires that the instructional sticker be printed in at least 16-point boldface type in a contrasting color using a font that is easily readable.

(f) Authorizes CSEC to adopt rules to implement this section for areas that are governed by a regional plan, and authorizes an emergency communication district to adopt those rules in accordance with Section 711.062 (Local Adoption of State Rule).

(g) Requires CSEC, an emergency communication district, or a home-rule municipality that independently operates a 9-1-1 system to provide assistance to a business service user that is within the applicable governmental entity's jurisdiction in complying with this section, on the request of the business service user.

SECTION 3. Requires a business service user, as defined by Section 771A.001(a), Health and Safety Code, as added by this Act, to comply with Section 771A.001, Health and Safety Code, as added by this Act, not later than September 1, 2016.

SECTION 4. Effective date: upon passage or September 1, 2015.