

## **BILL ANALYSIS**

S.B. 1108  
By: Lucio  
Homeland Security & Public Safety  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

In many parts of the state, 9-1-1 systems are run by councils of governments under the Commission on State Emergency Communications. Interested parties recognize certain inefficiencies with the current structure of the 9-1-1 system and assert that the determination on how to best meet local needs through the system should be made by the elected officials of the region served by the system. S.B. 1108 seeks to address those inefficiencies.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **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**

S.B. 1108 amends the Health and Safety Code to establish the Regional Emergency Communication Districts Act, which provides for the creation of a regional emergency communication district in a 9-1-1 region, defined by the bill as the portion of a state planning region composed of counties and municipalities that on September 1, 2015, exclusively received 9-1-1 system services provided by a 9-1-1 system operated through a regional planning commission, in which the total population served by the 9-1-1 system operated through a regional planning commission was less than 1.5 million on September 1, 2015, and in which the governing bodies of each participating county and municipality in the 9-1-1 region adopt a resolution under the bill's provisions to participate in the district. The bill designates such a district as a political subdivision of the state created to carry out essential governmental functions and authorizes a district to exercise all powers necessary to carry out the purposes and provisions of the bill. The bill authorizes a district to enter into an interlocal agreement with another emergency communication district to promote enhanced public safety and increased fiscal and service efficiencies.

S.B. 1108 sets out requirements for the district's creation and establishes the territory of the district. The bill establishes that the district is governed by a board of managers and sets out provisions relating to the board's composition and powers and duties. The bill requires the regional planning commission for the 9-1-1 region in which the district is established to serve as the district's fiscal and administrative agent and authorizes the commission's executive director to serve as the district's director. The bill sets out the director's responsibilities, authorizes the director to use district money to compensate an employee assigned duties under the bill's provisions, and establishes that such an employee and the director are employees of the commission for all purposes. The bill requires the district to prepare an annual report that

includes the amount and source of funds received and spent by the district and the results of an audit of the district's affairs prepared by an independent certified public accountant in compliance with the district's policies and procedures.

S.B. 1108 requires a district to provide 9-1-1 service to each participating county or municipality through one or a combination of certain specified methods and requires the district to design, implement, and operate a 9-1-1 system for each participating county and municipality in the district. The bill establishes that 9-1-1 service is mandatory for each individual telephone subscriber in the district and is not an optional service under any definition of terms relating to telephone service. The bill extends certain liability protections to services provided under the bill's provisions.

S.B. 1108 specifies that the digits 9-1-1 are the primary emergency telephone number in a district. The bill authorizes a public safety agency whose services are available through a 9-1-1 system to maintain a separate number for an emergency telephone call and requires such an agency to maintain a separate number for a nonemergency telephone call. The bill requires a 9-1-1 system established under the bill's provisions to be capable of transmitting requests for firefighting, law enforcement, ambulance, and medical services to a public safety agency that provides the requested service at the location from which the call originates and sets out provisions relating to the transmission of other requests for emergency aid.

S.B. 1108 authorizes a district's board to impose a 9-1-1 emergency service fee on service users in the district, sets out provisions relating to the imposition and collection of the fee, and caps the fee at 50 cents per month for each line. The bill requires the board to select a depository for the district in the manner provided by law. The bill establishes that a district's allowable operating expenses include all costs attributable to designing a 9-1-1 system and all equipment and personnel necessary to establish and maintain a public safety answering point and other related operations that the board considers necessary. The bill sets out requirements for a service supplier or a business service user to provide number and location identification for each call.

S.B. 1108 requires the board to periodically solicit public comments and hold a public review hearing on the continuation of the district and the 9-1-1 emergency service fee, sets out requirements for such hearings, and establishes procedures for the dissolution of a district. The bill authorizes the regional planning commission for the 9-1-1 region in which a district is established to transfer to the district any land, buildings, improvements, equipment, and other assets acquired by the commission in relation to the provision of 9-1-1 service in accordance with statutory provisions relating to the state administration of emergency communications.

S.B. 1108 does not affect an emergency communication district created under other law, the distribution of funds from the 9-1-1 equalization surcharge, or a public agency or group of public agencies acting jointly that provided 9-1-1 services before September 1, 1987, or that had voted or contracted before that date to provide that service.

**EFFECTIVE DATE**

September 1, 2015.