

By: Eltife, et al.
(Paddie)

S.B. No. 788

A BILL TO BE ENTITLED

AN ACT

relating to requiring direct access to 9-1-1 service from certain telephone systems and equivalent systems that use Internet Protocol enabled services.

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

SECTION 1. This Act shall be known as Kari's Law.

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

CHAPTER 771A. ACCESS TO EMERGENCY COMMUNICATIONS SERVICES IN

GENERAL

Sec. 771A.001. DIRECT ACCESS TO 9-1-1 SERVICE REQUIRED.

(a) In this chapter:

(1) "9-1-1 service" means a communications service that connects users to a public safety answering point through a 9-1-1 system.

(2) "Business service user" means a user of business service that provides telecommunications service, including 9-1-1 service, to end users through a publicly or privately owned or controlled telephone switch.

(3) "Commission" means the Commission on State Emergency Communications.

(4) "Emergency communication district" means:

(A) a public agency or group of public agencies acting jointly that provided 9-1-1 service before September 1,

1 1987, or that had voted or contracted before that date to provide
2 that service; or

3 (B) a district created under Subchapter B, C, D,
4 F, or G, Chapter 772.

5 (5) "Internet Protocol enabled service" has the
6 meaning assigned by Section 51.002, Utilities Code.

7 (6) "Telephone system" includes a multiline telephone
8 system.

9 (b) This section applies to the extent the section is not
10 inconsistent with or preempted by federal law.

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

19 (d) A business service user that provides residential or
20 business facilities, owns or controls a telephone system or an
21 equivalent system that uses Internet Protocol enabled service, and
22 provides outbound dialing capacity or access shall configure the
23 telephone system or equivalent system to provide a notification to
24 a central location on the site of the residential or business
25 facility when a person within the residential or business facility
26 dials 9-1-1 if the system is able to be configured to provide the
27 notification without an improvement to the system's hardware. This

1 subsection does not require a business service user to have a person
2 available at the central location to receive a notification.

3 (e) The commission or the applicable emergency
4 communication district shall grant a one-year waiver of the
5 requirements under this section to a business service user if:

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

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

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

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

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

24 (f) The commission may adopt rules to implement this section
25 for areas that are governed by a regional plan, and an emergency
26 communication district may adopt those rules in accordance with
27 Section [771.062](#).

1 (g) On the request of the business service user, the
2 commission, an emergency communication district, or a home-rule
3 municipality that independently operates a 9-1-1 system shall
4 provide assistance to a business service user that is within the
5 applicable governmental entity's jurisdiction in complying with
6 this section.

7 SECTION 3. A business service user, as defined by Section
8 771A.001(a), Health and Safety Code, as added by this Act, shall
9 comply with Section 771A.001, Health and Safety Code, as added by
10 this Act, not later than September 1, 2016.

11 SECTION 4. This Act takes effect immediately if it receives
12 a vote of two-thirds of all the members elected to each house, as
13 provided by Section 39, Article III, Texas Constitution. If this
14 Act does not receive the vote necessary for immediate effect, this
15 Act takes effect September 1, 2015.