1-1 By: Eltife   S.B. No. 788
1-2   (In the Senate - Filed February 25, 2015; March 2, 2015,
1-3 read first time and referred to Committee on Natural Resources and
1-4 Economic Development; March 23, 2015, rereferred to Committee on
1-5 Business and Commerce; April 9, 2015, reported adversely, with
1-6 favorable Committee Substitute by the following vote: Yeas 9,
1-7 Nays 0; April 9, 2015, sent to printer.)

1-8   COMMITTEE VOTE

1-9		Yea	Nay	Absent	PNV
1-10	Eltife	X			
1-11	Creighton	X			
1-12	Ellis	X			
1-13	Huffines	X			
1-14	Schwertner	X			
1-15	Seliger	X			
1-16	Taylor of Galveston	X			
1-17	Watson	X			
1-18	Whitmire	X			

1-19 COMMITTEE SUBSTITUTE FOR S.B. No. 788   By: Eltife

1-20   A BILL TO BE ENTITLED
1-21   AN ACT

1-22 relating to requiring direct access to 9-1-1 service from certain
1-23 telephone systems and equivalent systems that use Internet Protocol
1-24 enabled services.
1-25   BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
1-26   SECTION 1.   This Act shall be known as Kari's Law.
1-27   SECTION 2.   Subtitle B, Title 9, Health and Safety Code, is
1-28 amended by adding Chapter 771A to read as follows:
1-29   CHAPTER 771A. ACCESS TO EMERGENCY COMMUNICATIONS SERVICES IN
1-30   GENERAL
1-31   Sec. 771A.001.   DIRECT ACCESS TO 9-1-1 SERVICE REQUIRED.
1-32 (a)   In this chapter:
1-33   (1)   "9-1-1 service" means a communications service
1-34 that connects users to a public safety answering point through a
1-35 9-1-1 system.
1-36   (2)   "Business service user" means a user of business
1-37 service that provides telecommunications service, including 9-1-1
1-38 service, to end users through a publicly or privately owned or
1-39 controlled telephone switch.
1-40   (3)   "Commission"   means   the   Commission   on   State
1-41 Emergency Communications.
1-42   (4)   "Emergency communication district" means:
1-43   (A)   a public agency or group of public agencies
1-44 acting jointly that provided 9-1-1 service before September 1,
1-45 1987, or that had voted or contracted before that date to provide
1-46 that service; or
1-47   (B)   a district created under Subchapter B, C, D,
1-48 F, or G, Chapter 772.
1-49   (5)   "Internet   Protocol   enabled   service"   has   the
1-50 meaning assigned by Section 51.002, Utilities Code.
1-51   (6)   "Telephone system" includes a multiline telephone
1-52 system.
1-53   (b)   This section applies to the extent the section is not
1-54 inconsistent with or preempted by federal law.
1-55   (c)   Notwithstanding any other law, a business service user
1-56 that owns or controls a telephone system or an equivalent system
1-57 that uses Internet Protocol enabled service and provides outbound
1-58 dialing capacity or access shall configure the telephone system or
1-59 equivalent system to allow a person initiating a 9-1-1 call on the
1-60 system to directly access 9-1-1 service by dialing the digits 9-1-1

2-1 without an additional code, digit, prefix, postfix, or trunk-access
2-2 code.
2-3   (d) A business service user that provides residential or
2-4 business facilities, owns or controls a telephone system or an
2-5 equivalent system that uses Internet Protocol enabled service, and
2-6 provides outbound dialing capacity or access shall configure the
2-7 telephone system or equivalent system to provide a notification to
2-8 a central location on the site of the residential or business
2-9 facility when a person within the residential or business facility
2-10 dials 9-1-1 if the system is able to be configured to provide the
2-11 notification without an improvement to the system's hardware. This
2-12 subsection does not require a business service user to have a person
2-13 available at the central location to receive a notification.
2-14   (e) The   commission   or   the   applicable   emergency
2-15 communication district shall grant a one-year waiver of the
2-16 requirements under this section to a business service user if:
2-17   (1) the requirements would be unduly and unreasonably
2-18 cost prohibitive for a business service user to comply with; and
2-19   (2) the business service user provides an affidavit
2-20 not later than September 1 of each year stating:
2-21   (A) the manufacturer and model number of the
2-22 telephone system or equivalent system that needs to be reprogrammed
2-23 or replaced;
2-24   (B) that the business service user made a good
2-25 faith attempt to reprogram or replace the system; and
2-26   (C) if the telephone system or equivalent system
2-27 does not comply with Subsection (c), that the business service user
2-28 agrees to place an instructional sticker immediately adjacent to
2-29 each telephone that is accessed using the noncompliant system
2-30 indicating that during the waiver period the telephone is unable to
2-31 directly dial 9-1-1 and providing instructions for accessing 9-1-1
2-32 in case of an emergency. The instructional sticker must be printed
2-33 in at least 16-point boldface type in a contrasting color using a
2-34 font that is easily readable.
2-35   (f) The commission may adopt rules to implement this section
2-36 for areas that are governed by a regional plan, and an emergency
2-37 communication district may adopt those rules in accordance with
2-38 Section 771.062.
2-39   (g) On the request of the business service user, the
2-40 commission, an emergency communication district, or a home-rule
2-41 municipality that independently operates a 9-1-1 system shall
2-42 provide assistance to a business service user that is within the
2-43 applicable governmental entity's jurisdiction in complying with
2-44 this section.
2-45   SECTION 3. A business service user, as defined by Section
2-46 771A.001(a), Health and Safety Code, as added by this Act, shall
2-47 comply with Section 771A.001, Health and Safety Code, as added by
2-48 this Act, not later than September 1, 2016.
2-49   SECTION 4. This Act takes effect immediately if it receives
2-50 a vote of two-thirds of all the members elected to each house, as
2-51 provided by Section 39, Article III, Texas Constitution. If this
2-52 Act does not receive the vote necessary for immediate effect, this
2-53 Act takes effect September 1, 2015.

2-54   * * * * *