

BILL ANALYSIS

Senate Research Center

S.B. 1858
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AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Approximately 85-90 percent of 9-1-1 calls today are coming from wireless devices. The need for a modern telecommunications infrastructure is imperative to maintain reliable 9-1-1 systems.

The 87th Legislature established the Next Generation 9-1-1 fund in the state treasury outside of the general revenue fund and directed \$150 million from money received by the state from American Rescue Plan Act (ARPA) or any other federal dollars. These funds support the deployment of the next generation service, including cost of equipment, operations, and administration. The need for funds to the credit of the Next Generation 9-1-1 service is crucial to continued deployment of the system.

S.B. 1858 would extend the spending date of the ARPA funds from December 31, 2024, to August 31, 2025, and include a framework for the distribution of state funds through this account, should they be appropriated. It would also provide for funds appropriated for the account from state governmental sources to be transferred by the Comptroller of Public Accounts of the State of Texas to the emergency communication districts in a manner consistent with the methodology used to allocate the current \$0.50 statewide wireless fee in accordance with the ratio to the total population of the state.

As proposed, S.B. 1858 amends current law relating to the next generation 9-1-1 service fund.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 771.0713, Health and Safety Code, by amending Subsections (b), (c), (f), and (g) and adding Subsections (c-1), (c-2), (c-3), and (c-4), as follows:

(b) Requires the Comptroller of Public Accounts of the State of Texas (comptroller), notwithstanding any other law and except as provided by federal or state law, to transfer to the credit of the next generation 9-1-1 service fund (fund) any amount available (i) from federal money provided to this state from the Coronavirus State and Local Fiscal Recovery Funds under Section 9901 of the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) or from any other federal governmental source, or (ii) from any state governmental source, for purposes of Chapter 771 (State Administration of Emergency Communications). Requires the comptroller to transfer the money as soon as practicable following the receipt by this state of a sufficient amount of federal money for the transfer or as soon as practicable after the effective date of the most recent appropriation of state funds by the legislature for this purpose.

(c) Makes no changes to this subsection.

(c-1) Creates this subsection from existing text.

(c-2) Requires the Commission on State Emergency Communications (CSEC), for any money in the fund resulting from the appropriation of state funds, except as provided by Subsection (c-3), after the money is deposited into the fund, to distribute to each emergency communication district that does not participate in the state system a portion of the money that bears the same proportion that the population of the area served by the district bears to the population of the state.

(c-3) Requires CSEC, for each emergency communication district created under Chapter 772 (Local Administration of Emergency Communications) that is entitled to a portion of the money distributed under Subsection (c-2), to:

(1) reduce the portion to which that district is entitled by an amount equal to nine percent of that portion and distribute that amount in equal shares to all the emergency communication districts created under Chapter 772; and

(2) distribute to that district the remainder of the portion to which the district is entitled under Subsection (c-2) that is not distributed under Subdivision (1).

(c-4) Requires that the remaining money in the fund appropriated from state funds that is not otherwise distributed under Subsection (c-2) or (c-3) be deposited to the 9-1-1 services fee account.

(f) Requires that all money in the fund from the Coronavirus State and Local Fiscal Recovery Funds under Section 9901 of the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) be distributed in accordance with Section 771.0713 (Next Generation 9-1-1 Service Fund) not later than August 31, 2024, rather than December 31, 2022, and all money distributed under this section from the Coronavirus State and Local Fiscal Recovery Funds under Section 9901 of the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) be spent not later than December 31, 2026, rather than December 31, 2024, for the deployment and reliable operation of next generation 9-1-1 service.

(g) Provides that this section expires December 31, 2026, rather than September 1, 2025.

SECTION 2. Effective date: September 1, 2023.