
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 576 Session of
1989

INTRODUCED BY WENGER, PETERSON, LINCOLN, LOEPER, JUBELIRER,
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LEMMOND, RHOADES, ROSS, ARMSTRONG, LYNCH, WILT, BAKER,
STAPLETON, HELFRICK, HESS, PUNT AND CORMAN, FEBRUARY 21, 1989

AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,
NOVEMBER 14, 1989

AN ACT

1 ~~Providing for a Statewide emergency telephone number "911"~~ <—
2 ~~system; establishing a telecommunications unit within the~~
3 ~~Department of General Services; providing for funding of the~~
4 ~~system, for a referendum and for contributions from telephone~~
5 ~~subscribers; providing a penalty; making appropriations; and~~
6 ~~making a repeal.~~

7 ~~The General Assembly declares it to be in the public interest~~
8 ~~to provide a toll free number "911" for any individual within~~
9 ~~this Commonwealth to gain rapid, direct access to emergency aid.~~

10 ~~The number shall be provided with the objective of reducing~~
11 ~~response time to situations requiring law enforcement, fire,~~
12 ~~medical, rescue or other emergency service. It is the further~~
13 ~~intent of the General Assembly that authority and responsibility~~
14 ~~for establishing, operating and maintaining adequate facilities~~
15 ~~for answering emergency calls and dispatching a proper response~~
16 ~~to the callers' needs shall be vested in the county government.~~
17 ~~Each county is encouraged to implement a 911 emergency~~

1 ~~communication system and to consider maximum integration of~~
2 ~~telecommunications facilities and capabilities within their~~
3 ~~planning, in order to economize the costs, as well as to effect~~
4 ~~a more rapid response capability.~~

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22 PROVIDING FOR A STATEWIDE EMERGENCY TELEPHONE NUMBER "911" <—
23 SYSTEM; PROVIDING FOR NO-INTEREST LOANS TO HELP ESTABLISH 911
24 EMERGENCY COMMUNICATION SYSTEMS, FOR A REFERENDUM AND FOR
25 CONTRIBUTIONS FROM TELEPHONE SUBSCRIBERS; PROVIDING A
26 PENALTY; AND MAKING A REPEAL.

27 THE GENERAL ASSEMBLY DECLARES IT TO BE IN THE PUBLIC INTEREST
28 TO PROVIDE A TOLL-FREE NUMBER 911 FOR ANY INDIVIDUAL WITHIN THIS
29 COMMONWEALTH TO GAIN RAPID, DIRECT ACCESS TO EMERGENCY AID. THE
30 NUMBER SHALL BE PROVIDED WITH THE OBJECTIVE OF REDUCING RESPONSE

1 TIME TO SITUATIONS REQUIRING LAW ENFORCEMENT, FIRE, MEDICAL,
2 RESCUE OR OTHER EMERGENCY SERVICE. IT IS THE FURTHER INTENT OF
3 THE GENERAL ASSEMBLY THAT AUTHORITY AND RESPONSIBILITY FOR THE
4 CREATION AND IMPLEMENTATION OF A PLAN ESTABLISHING, OPERATING
5 AND MAINTAINING ADEQUATE FACILITIES FOR ANSWERING EMERGENCY
6 CALLS AND DISPATCHING A PROPER RESPONSE TO THE CALLERS' NEEDS
7 SHALL BE VESTED IN THE COUNTY GOVERNMENT. EACH COUNTY IS
8 ENCOURAGED TO IMPLEMENT A 911 EMERGENCY COMMUNICATION SYSTEM AND
9 TO CONSIDER MAXIMUM INTEGRATION OF TELECOMMUNICATIONS FACILITIES
10 AND CAPABILITIES WITHIN THEIR PLANNING, IN ORDER TO ECONOMIZE
11 THE COSTS, AS WELL AS TO EFFECT A MORE RAPID RESPONSE
12 CAPABILITY.

13 The General Assembly of the Commonwealth of Pennsylvania
14 hereby enacts as follows:

15 ~~Section 1. Short title.~~

<—

16 ~~This act shall be known and may be cited as the 911 Emergency~~
17 ~~Telephone Number Act.~~

18 ~~Section 2. Definitions.~~

19 ~~The following words and phrases when used in this act shall~~
20 ~~have the meanings given to them in this section unless the~~
21 ~~context clearly indicates otherwise:~~

22 ~~"911 emergency communication system" or "911 system." A~~
23 ~~telephone system which automatically connects a person dialing~~
24 ~~the digits 911 to an established public safety answering point.~~
25 ~~The caller must provide information on the nature of and the~~
26 ~~location of an emergency, and the personnel receiving the call~~
27 ~~must determine the appropriate emergency service to respond at~~
28 ~~that location.~~

29 ~~"Commission." The Pennsylvania Public Utility Commission.~~

30 ~~"County plan." A document submitted by a county or several~~

~~counties to the telecommunications unit, outlining a proposed 911 system or enhanced 911 system or any amendment to the plan.~~

~~"Department." The Department of General Services of the Commonwealth.~~

~~"Emergency telephone contribution rate." A fee assessed against a telephone subscriber for the recurring charges of a 911 system or enhanced 911 system.~~

~~"Enhanced 911 system." A telephone system in which the telephone network system automatically provides to personnel receiving the call, immediately on answering the 911 call, information on the location and the telephone number from which the call is being made, and routes the call to emergency service providers that serve the location from which the call is made.~~

~~"Installation grants." Grants provided to counties from general revenues to reimburse the initial expenses of implementing a 911 system or enhanced 911 system. Expenses eligible for reimbursement shall include telephone terminal equipment, trunk line service installation, network changes, building of initial data base and nonrecurring costs incurred by the service suppliers to establish a 911 system or enhanced 911 system. Expenses not eligible for reimbursement shall include purchase of real estate, cosmetic remodeling, hiring and training of dispatchers, mobile communications, ambulances, fire engines or other emergency vehicles, utilities, taxes and salaries among others as stipulated by the telecommunications unit and the plan.~~

~~"Local exchange telephone service." The provision of telephonic message transmission within an exchange, as such is defined and described in tariffs filed with and approved by the commission.~~

~~"Public agency."—The Commonwealth or a political subdivision, public authority, municipal authority or any organization located in whole or in part within this Commonwealth which provides or has the authority to provide firefighting, law enforcement, ambulance, emergency medical or other emergency services.~~

~~"Public safety agency."—A functional division of a public agency which provides firefighting, police, medical or other emergency services or a private entity which provides such service on a voluntary basis.~~

~~"Public safety answering point" or "PSAP."—A communications facility operated on a 24 hour basis which first receives 911 calls from persons in a 911 service area and which may, as appropriate, directly dispatch public safety services or extend, transfer or relay 911 calls to appropriate public safety agencies.~~

~~"Telephone subscriber."—A person who contracts with a telephone company within this Commonwealth for local exchange telephone service, either residential or commercial, in return for which the person is billed on a monthly basis. When the same person, business or organization has several telephone numbers, each number shall constitute a separate subscription. For purposes of the contribution rate, the term shall not include pay stations owned or operated by a regulated public utility.~~

~~"Unit."—The telecommunications unit within the department.~~
~~Section 3.—Telecommunications unit.~~

~~(a)—Establishment.—The department shall establish an operational telecommunications unit within 150 days of the effective date of this act. The unit shall employ telecommunications professionals hired under the act of August~~

~~5, 1941 (P.L. 752, No. 286), known as the Civil Service Act.~~

~~(b) Powers and duties. The unit shall have the following powers and duties:~~

~~(1) To be responsible for the central management of 911 telecommunications for this Commonwealth.~~

~~(2) To provide information regarding State installation grants for implementing 911 systems for eligible counties.~~

~~(3) To establish guidelines and application procedures for the dissemination of installation grants.~~

~~(4) To provide technical assistance, as requested by the counties, in developing a 911 system. Each 911 plan shall be designed to meet the individual circumstances of each community and the public agencies participating in the 911 system.~~

~~(5) To promulgate rules and regulations containing minimum standards for all county plans and procedures for submission thereof.~~

~~(6) To receive, review and approve or disapprove all 911 system county plans, either on an initial application basis, expansion of an approved plan or renewal of an existing plan.~~

~~(7) To forward the approved county plan and suggested contribution rate to the commission. If the contribution rate is rejected, the plan shall be returned to the unit, which shall revise the contribution rate to meet the commission's objections.~~

~~(8) To provide technical assistance to county governments to publicize the implementation of a 911 system throughout the area.~~

~~(9) To audit biennially county expenditures for the operation and maintenance of 911 systems.~~

~~(10) To submit an annual report, not later than January 1 of each year, to the Governor, the secretary of the department and the General Assembly and include at least the following:~~

~~(i) The extent to which 911 systems currently exist in Pennsylvania.~~

~~(ii) Those counties which completed installation, and costs and expenses for installation.~~

~~(iii) An anticipated schedule for installing a 911 system on a county basis for that year.~~

~~(iv) The estimated cost of installing the 911 system.~~

~~(v) Any suggested changes to this act.~~

~~Section 4. Counties.~~

~~(a) Powers and duties. The governing body of a county shall have the following powers and duties in relation to a 911 system:~~

~~(1) To designate a member of county government as a coordinator who shall serve as a point of contact with the unit to develop a plan for the implementation, operation and maintenance of a 911 system. Where technologically and economically feasible, the county plan shall be adequate to provide service for the entire county at the time it is submitted for approval to the unit.~~

~~(2) To make arrangements with each telephone company providing local exchange telephone service within the county's jurisdiction to provide 911 service.~~

~~(3) To send a copy of the proposed plan to the appropriate telephone company upon submission of the plan to the unit.~~

~~(4) To cooperate with the unit in preparation and submission of an installation grant application.~~

~~(5) To cooperate with the unit in preparation and submission of the approved plan and contribution rate to the commission for rate approval.~~

~~(6) To submit the question to the voters of the county for approval of whether or not to establish the approved 911 plan in the county or, as to a previously established 911 system, to submit the question to the voters of the county for approval of whether or not to impose the contribution allowed by this act.~~

~~(7) To execute all contracts, mutual aid agreements, cross service agreements and all other necessary documents which may be required in the implementation of the county plan.~~

~~(b) Persons outside county. When an individual physically resides in an adjacent county, but receives local exchange telephone service from a central office in a county which provides 911 service, it shall be the responsibility of the county with the 911 service to notify the appropriate public agency of a request for emergency service from such an individual.~~

~~(c) Cities of the third class. Any city of the third class may exercise the powers and duties of counties under this act.~~

~~Section 5. County plan.~~

~~(a) Minimum standards. Upon the agreement of the governing authority to establish a 911 system, a plan shall be drafted meeting at least the minimum standards promulgated by the unit. The county may obtain technical assistance from the unit in formulating its plan.~~

~~(b) Completion. Upon completion of the plan, it shall be forwarded to the unit, with a copy of the plan being sent to those telephone companies affected by the plan.~~

~~(c) Unit review. The unit shall have 90 days to review the plan and make suggested revisions of the plan. Within the 90 day period, the unit must accept or reject the plan and formulate a rate of contribution to fund the ongoing monthly charges for the system. The contribution rate shall be based on the number of telephone subscribers serviced within the proposed 911 system.~~

~~(d) Commission review. The unit shall forward the plan to the commission with the estimated cost of the plan and a requested contribution rate. The commission shall review the plan only in relation to the contribution rate and may reject only those contribution rates which it finds excessive to meet the costs stated in the plan. The rates shall be reviewed and returned by the commission within 60 days of the date of submission. If the plan is rejected, it shall be returned to the unit.~~

~~(e) Submission to voters. Once the plan is approved by the unit and the contribution rate has been approved by the commission pursuant to this section, the plan shall be submitted to the voters pursuant to section 6.~~

~~(f) Present systems. Those counties that presently have 911 systems shall be eligible for installation grants for purposes of updating and expanding present systems to enhanced 911 systems. Any county that wishes to convert to a telephone contribution rate to cover recurring expenses will be subject to the same approval mechanism as new systems.~~

~~(g) Regional systems. Nothing in this act shall be construed to prohibit the formation of multijurisdictional or~~

~~regional 911 systems, and any system established under this act may include the territory of a county. It shall not be necessary for two or more counties who have received voter approval to submit the question for a multijurisdictional system.~~

~~(h) Contribution rate fixed. Once a plan and contribution rate have been approved by the voters and established, the contribution rate shall remain fixed for a period of two years.~~

~~Updating and expanding the present system shall require an amended plan to be filed with the unit. Requests for contribution rate increases shall be submitted on a two year basis to the unit and the commission for approval but shall not require voter approval. Such requests for contribution rate increases shall be reviewed by the unit and the commission in the manner and within the time periods prescribed by section 5(c) and (d).~~

~~(i) Assessment. The moneys collected from the telephone contribution rate shall be utilized only to pay for the operation of a 911 system and may be assessed after the execution of a contract but no earlier than 90 days prior to the operation of 911 service.~~

~~Section 6. Referendum.~~

~~(a) Question. Before any county may establish a 911 system and impose an emergency telephone contribution under this act, it shall submit the proposal to the electors of the county for their approval at the next municipal or general election for which the advertising requirements of the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, can be met. The question shall be:~~

~~Shall the county of establish a 911 emergency communication system and impose a current~~

1 ~~contribution rate of each month upon all telephone~~
2 ~~subscribers to finance such service?~~

3 ~~(b) Acceptance or rejection. If a majority of the votes~~
4 ~~cast on the proposal by the qualified electors voting thereon~~
5 ~~are in favor of the proposal, the county shall establish the~~
6 ~~service and impose the contribution allowed by this act. If a~~
7 ~~majority of the votes cast on the proposal are opposed to the~~
8 ~~proposal, the county submitting the proposal shall not implement~~
9 ~~this act. The question may be put before the electors at any~~
10 ~~subsequent election, pursuant to this section.~~

11 ~~(c) Previously established systems. Before a county with a~~
12 ~~previously established 911 system may impose an emergency~~
13 ~~telephone contribution under this act, it shall submit the~~
14 ~~proposal to the electors of the county in the same manner as~~
15 ~~provided in subsection (a), except that the question shall be~~
16 ~~limited to imposition of the stated current contribution rate,~~
17 ~~and the provisions of subsection (b) shall apply as to~~
18 ~~acceptance or rejection of imposition of the contribution.~~

19 ~~(d) Conduct of referendum. The referendum under this~~
20 ~~section shall be held in accordance with the Pennsylvania~~
21 ~~Election Code.~~

22 ~~Section 7. Collection and disbursement of contribution.~~

23 ~~(a) Subscribers' contribution; general rule. Each service~~
24 ~~supplier providing local exchange telephone service within the~~
25 ~~county shall collect the contribution from each subscriber and~~
26 ~~forward the collection quarterly to the county treasurer. The~~
27 ~~amount of the subscribers' contribution shall be stated~~
28 ~~separately in the telephone subscribers' billing. Each service~~
29 ~~supplier shall retain 2% of the gross receipts collected to~~
30 ~~cover administrative costs.~~

~~(b) Subscribers' contribution; multiple line systems. In the case of Centrex or similar multiple line system subscribers, one of the following multipliers shall be applied to determine the contribution of each such subscriber. If the system contains:~~

~~(1) 25 lines or less, each line shall be billed at the approved contribution rate.~~

~~(2) 26 lines to 100 lines, each line shall be billed at 0.75 of the approved contribution rate.~~

~~(3) 101 lines to 250 lines, each line shall be billed at 0.50 of the approved contribution rate.~~

~~(4) 251 lines to 500 lines, each line shall be billed at 0.20 of the approved contribution rate.~~

~~(5) 501 lines or more, each line shall be billed at 0.172 of the approved contribution rate.~~

~~(c) Restricted account. The county treasurer shall deposit the moneys received in an interest bearing restricted account used solely for the purpose of monthly recurring charges billed for the 911 system and for the purpose of making payments under subsection (d). The governing body of the county shall make an annual appropriation from such account for the 911 system, subject to the provisions of subsection (d), and shall retain 1% of the gross receipts collected to cover administrative costs.~~

~~(d) Disbursement to municipalities. The county treasurer shall, on a quarterly basis, pay from funds of the restricted account to a municipality which operates a 911 system established prior to the effective date of this act, a sum of money not less than that contributed by the telephone subscribers of that municipality to the county 911 system through the telephone contribution rate.~~

~~(c) Collection enforcement. Nothing in this act shall impose any obligation upon a telephone company to take legal action to enforce collection of the contribution imposed by this section. Telephone companies which in any way become aware through normal resources that their customers are not paying monthly 911 charges are obligated to advise county officials who will take appropriate action to complete collection. Nonpayment of monthly 911 charges shall not result in the termination of telephone service or nonbasic telephone service.~~

~~Section 8. Source of funds.~~

~~(a) General rule. Funds for installation grants shall be provided from the General Fund.~~

~~(b) Deficiency appropriation. If, in any fiscal year, appropriations are insufficient to cover the costs of grants to those counties which make timely requests, the department shall report the fact to the General Assembly and request a deficiency appropriation of funds to provide these grants. If a deficiency appropriation is not enacted, any county not receiving a grant shall receive first priority for any appropriation made for the next fiscal year.~~

~~(c) Limit on funding. No county shall, in any year, be granted more than 20% of the total annual appropriation made for installation grants, unless there are insufficient applicants to consume the entire amount of the appropriation.~~

~~Section 9. Expenditures for maintenance and operation of 911 systems.~~

~~(a) Expenditures authorized. During each county's fiscal year, the county may expend the amounts distributed to it from the 911 telephone contribution rate for the maintenance and operation of a county 911 system.~~

~~(b) Items included in maintenance and operation costs.~~

~~Maintenance and operation costs may include telephone company charges, equipment costs or equipment lease charges, repairs, utilities, data base maintenance costs and appropriate carryover costs from previous years.~~

~~(c) Limitations on expenditures. The unit shall adopt procedures to assure that the total amount collected from the 911 contribution shall be expended only for the maintenance and operation of a county 911 system.~~

~~(d) Biennial audit. The unit shall provide for a biennial audit of each county's expenditures for the maintenance and operation of 911 systems or enhanced 911 systems. The unit is authorized to contract with an independent auditor to perform the audits.~~

~~Section 10. Pay telephone access.~~

~~The commission shall promulgate regulations requiring free access to 911 service from pay telephones.~~

~~Section 11. Telephone records.~~

~~(a) Access. Each telephone service supplier shall provide under license customer telephone numbers, names and service addresses to 911 systems when required. Although customer numbers, names and service addresses shall be available to 911 systems, such information shall remain the property of the disclosing service supplier. The total cost of the system shall include expenses to provide and maintain 911 information. This information shall be used only in providing emergency response services to a 911 call. A person who uses or discloses data base information for purposes other than handling a 911 call commits a misdemeanor of the third degree.~~

~~(b) Privacy waived. Private listing service customers in a~~

~~911 service district shall waive the privacy afforded by nonlisted and nonpublished numbers when using the 911 emergency service.~~

~~(c) Immunity. No telephone company, or agent or employee of a telephone company, shall be liable to any person who uses the 911 emergency service established under this act:~~

~~(1) for release to a public safety answering point of information specified in this section that is not already part of the public records including nonpublished telephone numbers; or~~

~~(2) for interruptions, omissions, defects, errors, mistakes or delays in transmission occurring in the course of rendering 911 emergency service under this act, unless such interruptions, omissions, defects, errors, mistakes or delays are caused by the willful or wanton misconduct of the telephone company, its agents or employees; provided, however, that nothing herein shall preclude the application of any commission tariff or regulation pertaining to allowances for telephone service interruptions.~~

~~Section 12. Penalty.~~

~~Any person who intentionally calls the "911" emergency number for other than emergency purposes commits a misdemeanor of the third degree.~~

~~Section 13. Appropriations.~~

~~(a) Installation grants. The sum of \$8,000,000, or as much thereof as may be necessary, is hereby appropriated to the Department of General Services for the fiscal year July 1, 1989, to June 30, 1990, for installation grants, including grants for installations completed or installation costs incurred subsequent to January 1, 1985, provided that the installation~~

~~involved is pursuant to a plan ultimately approved by the telecommunications unit created under this act.~~

~~(b) Administration. The sum of \$300,000, or as much thereof as may be necessary, is hereby appropriated to the Department of General Services for the fiscal year July 1, 1989, to June 30, 1990, for operation of the telecommunications unit.~~

~~(c) Distribution of grants. Grants under subsection (a) shall be distributed as follows:~~

~~(1) (i) For 911 systems costing \$500,000 or less, an installation grant shall be provided in the amount of \$170,000 or the full cost of the system, whichever is less.~~

~~(ii) For 911 systems costing more than \$500,000, an installation grant in the amount of one third the cost of the system or improvements to existing 911 systems shall be provided.~~

~~(2) (i) For enhanced systems costing \$500,000 or less, an installation grant shall be provided in the amount of \$250,000 or the full cost of the system or improvements, whichever is less.~~

~~(ii) For enhanced systems costing more than \$500,000, an installation grant in the amount of one half the cost of the system or improvements shall be provided.~~

~~Section 14. Repeals.~~

~~The act of April 28, 1978 (P.L.90, No.42), known as the Emergency Telephone Act, is repealed.~~

~~Section 15. Effective date.~~

~~This act shall take effect July 1, 1989, or immediately, whichever is later.~~

~~SECTION 1. SHORT TITLE.~~

<—

THIS ACT SHALL BE KNOWN AND MAY BE CITED AS THE PUBLIC SAFETY
EMERGENCY TELEPHONE ACT.

SECTION 2. DEFINITIONS.

THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS ACT SHALL
HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE
CONTEXT CLEARLY INDICATES OTHERWISE:

"911 EMERGENCY COMMUNICATION SYSTEM" OR "911 SYSTEM." A
SYSTEM WHICH PERMITS A PERSON DIALING "911" BY TELEPHONE TO BE
CONNECTED TO A PUBLIC SAFETY ANSWERING POINT, VIA NORMAL
TELEPHONE FACILITIES, FOR THE REPORTING OF POLICE, FIRE, MEDICAL
OR OTHER EMERGENCY SITUATIONS.

"AGENCY." THE PENNSYLVANIA EMERGENCY MANAGEMENT AGENCY.

"COMMISSION." THE PENNSYLVANIA PUBLIC UTILITY COMMISSION.

"CONTRIBUTION RATE." A FEE ASSESSED AGAINST A TELEPHONE
SUBSCRIBER FOR THE OPERATING COSTS OF A 911 SYSTEM.

"COUNCIL." THE PENNSYLVANIA EMERGENCY MANAGEMENT COUNCIL.

"COUNTY PLAN." A DOCUMENT SUBMITTED BY THE COUNTY TO THE
DEPARTMENT, OUTLINING ITS PROPOSED 911 SYSTEM, INCLUDING A
CONTRIBUTION RATE.

"DEPARTMENT." THE DEPARTMENT OF COMMUNITY AFFAIRS OF THE
COMMONWEALTH.

"EMERGENCY COMMUNICATIONS LOAN ACCOUNT." A RESTRICTED
ACCOUNT WITHIN THE STATE PURCHASING FUND TO BE USED BY THE
DEPARTMENT FOR NO-INTEREST LOANS TO COUNTIES FOR THE
ESTABLISHMENT OF 911 EMERGENCY COMMUNICATION SYSTEMS.

"INSTALLATION LOANS." LOANS PROVIDED TO COUNTIES FROM THE
EMERGENCY COMMUNICATIONS LOAN ACCOUNT FOR THE EXPENSES OF
IMPLEMENTING, EXPANDING OR UPGRADING A 911 SYSTEM. EXPENSES
ELIGIBLE FOR A LOAN SHALL INCLUDE TELEPHONE TERMINAL EQUIPMENT,
TRUNK LINE SERVICE INSTALLATION, NETWORK CHANGES, BUILDING OF

1 INITIAL DATA BASE AND ANY OTHER NONRECURRING COSTS TO ESTABLISH
2 A 911 SYSTEM. EXPENSES NOT ELIGIBLE FOR A LOAN SHALL INCLUDE
3 PURCHASE OF REAL ESTATE, COSMETIC REMODELING, CENTRAL OFFICE
4 UPGRADES, HIRING AND TRAINING OF DISPATCHERS, MOBILE
5 COMMUNICATIONS EQUIPMENT, AMBULANCES, FIRE ENGINES OR OTHER
6 EMERGENCY VEHICLES, UTILITIES, TAXES AND SALARIES AND OTHER
7 EXPENSES AS DETERMINED BY THE DEPARTMENT.

8 "LOCAL EXCHANGE TELEPHONE SERVICE." THE PROVISION OF
9 TELEPHONIC MESSAGE TRANSMISSION WITHIN AN EXCHANGE, AS SUCH IS
10 DEFINED AND DESCRIBED IN TARIFFS FILED WITH AND APPROVED BY THE
11 COMMISSION.

12 "PUBLIC AGENCY." THE COMMONWEALTH OR A POLITICAL
13 SUBDIVISION, PUBLIC AUTHORITY, MUNICIPAL AUTHORITY OR ANY
14 ORGANIZATION LOCATED IN WHOLE OR IN PART WITHIN THIS
15 COMMONWEALTH WHICH PROVIDES OR HAS THE AUTHORITY TO PROVIDE
16 FIREFIGHTING, LAW ENFORCEMENT, AMBULANCE, EMERGENCY MEDICAL OR
17 OTHER EMERGENCY SERVICES.

18 "PUBLIC SAFETY ANSWERING POINT" OR "PSAP." THE FIRST POINT
19 AT WHICH CALLS FOR EMERGENCY ASSISTANCE FROM INDIVIDUALS ARE
20 ANSWERED, OPERATED 24 HOURS A DAY.

21 "TELEPHONE SUBSCRIBER." A PERSON WHO CONTRACTS WITH A
22 TELEPHONE COMPANY WITHIN THIS COMMONWEALTH FOR LOCAL EXCHANGE
23 TELEPHONE SERVICE, EITHER RESIDENTIAL OR COMMERCIAL. WHEN THE
24 SAME PERSON, BUSINESS OR ORGANIZATION HAS SEVERAL TELEPHONE
25 NUMBERS, EACH NUMBER SHALL CONSTITUTE A SEPARATE SUBSCRIPTION.
26 FOR PURPOSES OF THE CONTRIBUTION RATE, THE TERM SHALL NOT
27 INCLUDE PAY STATIONS OWNED OR OPERATED BY A REGULATED PUBLIC
28 UTILITY.

29 SECTION 3. TELECOMMUNICATIONS MANAGEMENT.

30 (A) POWERS AND DUTIES OF DEPARTMENT.--THE DEPARTMENT SHALL

1 HAVE THE FOLLOWING POWERS AND DUTIES:

2 (1) TO PROVIDE INFORMATION REGARDING STATE INSTALLATION
3 LOANS FOR IMPLEMENTING 911 SYSTEMS FOR ELIGIBLE COUNTIES.

4 (2) TO ESTABLISH GUIDELINES AND APPLICATION PROCEDURES
5 FOR INSTALLATION LOANS.

6 (3) TO RECEIVE, REVIEW AND APPROVE OR DISAPPROVE ALL 911
7 SYSTEM COUNTY PLANS.

8 (4) TO FORWARD A COPY OF EACH COUNTY PLAN APPLICATION TO
9 THE COUNCIL AND THE COMMISSION FOR THEIR REVIEW AS REQUIRED
10 BY THIS ACT.

11 (5) TO SUBMIT AN ANNUAL REPORT, NOT LATER THAN JANUARY 1
12 OF EACH YEAR, TO THE GOVERNOR AND THE GENERAL ASSEMBLY AND
13 INCLUDE AT LEAST THE FOLLOWING:

14 (I) THE EXTENT TO WHICH 911 SYSTEMS CURRENTLY EXIST
15 IN PENNSYLVANIA.

16 (II) THOSE COUNTIES WHICH COMPLETED INSTALLATION,
17 AND COSTS AND EXPENSES FOR INSTALLATION.

18 (III) AN ANTICIPATED SCHEDULE FOR INSTALLING A 911
19 SYSTEM ON A COUNTY BASIS FOR THAT YEAR.

20 (B) POWERS AND DUTIES OF THE COUNCIL.--THE COUNCIL SHALL
21 HAVE THE FOLLOWING POWERS AND DUTIES:

22 (1) TO ESTABLISH TECHNICAL STANDARDS FOR ALL COUNTY
23 PLANS.

24 (2) TO REVIEW ALL COUNTY PLANS INCLUDING THE INITIAL
25 APPLICATION FORWARDED BY THE DEPARTMENT FOR CONFORMITY TO THE
26 TECHNICAL STANDARDS.

27 (3) TO REVIEW COUNTY PLANS TO DETERMINE IF EQUIPMENT
28 CONFORMS TO THE TECHNICAL STANDARDS.

29 (4) TO RECOMMEND APPROVAL OF PLANS OR INDICATE
30 DEFICIENCIES IN PLANS TO THE DEPARTMENT.

(C) POWERS AND DUTIES OF THE COMMISSION.--THE COMMISSION
SHALL HAVE THE FOLLOWING POWERS AND DUTIES:

(1) REVIEW THE CONTRIBUTION RATE REQUESTED BY THE COUNTY
BASED ON THE COSTS OF THE PLAN.

(2) APPROVE OR MODIFY THE CONTRIBUTION RATE REQUESTED BY
THE COUNTY AND FORWARD ITS DECISION TO THE DEPARTMENT.

SECTION 4. COUNTIES.

(A) POWERS AND DUTIES.--THE BOARD OF COUNTY COMMISSIONERS,
OR, IN A HOME RULE COUNTY, THE APPROPRIATE BODY ACCORDING TO THE
HOME RULE CHARTER, SHALL HAVE THE FOLLOWING POWERS AND DUTIES IN
RELATION TO A 911 SYSTEM:

(1) TO DESIGNATE A MEMBER OF COUNTY GOVERNMENT AS A
COORDINATOR WHO SHALL SERVE AS A POINT OF CONTACT WITH THE
DEPARTMENT AND SHALL DEVELOP A COUNTY PLAN FOR THE
IMPLEMENTATION, OPERATION AND MAINTENANCE OF A 911 SYSTEM.
WHERE TECHNOLOGICALLY FEASIBLE, THE COUNTY PLAN SHALL BE
ADEQUATE TO PROVIDE SERVICE FOR THE ENTIRE COUNTY.

(2) TO MAKE ARRANGEMENTS WITH EACH TELEPHONE COMPANY
PROVIDING LOCAL EXCHANGE TELEPHONE SERVICE WITHIN THE
COUNTY'S JURISDICTION TO PROVIDE 911 SERVICE.

(3) TO SEND A COPY OF THE PROPOSED COUNTY PLAN TO THE
APPROPRIATE TELEPHONE COMPANY UPON SUBMISSION OF THE PLAN TO
THE DEPARTMENT.

(4) TO COOPERATE WITH THE DEPARTMENT, THE COUNCIL AND
THE COMMISSION IN PREPARATION AND SUBMISSION OF THE COUNTY
PLAN AND CONTRIBUTION RATE.

(5) TO SUBMIT THE QUESTION TO THE VOTERS OF THE COUNTY
FOR APPROVAL OF WHETHER OR NOT TO ESTABLISH THE APPROVED 911
PLAN IN THE COUNTY AND TO IMPOSE THE CONTRIBUTION ALLOWED BY
THIS ACT.

1 (6) TO EXECUTE ALL CONTRACTS, MUTUAL AID AGREEMENTS,
2 CROSS-SERVICE AGREEMENTS AND ALL OTHER NECESSARY DOCUMENTS
3 WHICH MAY BE REQUIRED IN THE IMPLEMENTATION OF THE COUNTY
4 PLAN.

5 (B) PERSONS OUTSIDE THE COUNTY.--WHEN AN INDIVIDUAL
6 PHYSICALLY RESIDES IN AN ADJACENT COUNTY, BUT RECEIVES LOCAL
7 EXCHANGE TELEPHONE SERVICE FROM A CENTRAL OFFICE IN A COUNTY
8 WHICH PROVIDES 911 SERVICE, IT SHALL BE THE RESPONSIBILITY OF
9 THE COUNTY WITH THE 911 SERVICE TO NOTIFY THE APPROPRIATE PUBLIC
10 AGENCY OF A REQUEST FOR EMERGENCY SERVICE FROM SUCH AN
11 INDIVIDUAL.

12 (C) CITIES OF THE SECOND AND THIRD CLASS.--ANY CITY OF THE <—
13 SECOND OR THIRD CLASS MAY EXERCISE THE POWERS AND DUTIES OF <—
14 COUNTIES UNDER THIS ACT.

15 SECTION 5. COUNTY PLAN.

16 (A) MINIMUM STANDARDS.--UPON THE AGREEMENT OF THE GOVERNING
17 AUTHORITY OF A COUNTY TO ESTABLISH A 911 SYSTEM, A PLAN SHALL BE
18 DRAFTED MEETING AT LEAST THE MINIMUM TECHNICAL STANDARDS
19 PROMULGATED BY THE COUNCIL. THE COUNTY MAY OBTAIN TECHNICAL
20 ASSISTANCE FROM THE COUNCIL IN FORMULATING ITS PLAN. EACH 911
21 PLAN SHALL BE DESIGNED TO MEET THE INDIVIDUAL CIRCUMSTANCES OF
22 EACH COMMUNITY AND THE PUBLIC AGENCIES PARTICIPATING IN THE 911
23 SYSTEM.

24 (B) COMPLETION.--UPON COMPLETION OF THE PLAN, IT SHALL BE
25 FORWARDED TO THE DEPARTMENT, WITH A COPY OF THE PLAN BEING SENT
26 TO THOSE TELEPHONE COMPANIES AFFECTED BY THE PLAN.

27 (C) DEPARTMENT REVIEW.--THE DEPARTMENT SHALL INITIALLY
28 REVIEW THE COUNTY PLAN AND THE LOAN APPLICATION FOR
29 COMPLETENESS. THE DEPARTMENT SHALL FORWARD A COPY OF THE COUNTY
30 PLAN AND THE PROPOSED CONTRIBUTION RATE TO THE COUNCIL AND THE

1 COMMISSION FOR REVIEW AS REQUIRED BY THIS SECTION. AFTER THE
2 COUNTY PLAN HAS BEEN REVIEWED BY THE COUNCIL AND THE COMMISSION,
3 THE DEPARTMENT SHALL APPROVE OR REJECT A COUNTY PLAN BASED ON
4 THE RECOMMENDATIONS OF THE COUNCIL AND THE COMMISSION. IF THE
5 COUNTY PLAN IS REJECTED, THE DEPARTMENT SHALL RETURN THE COUNTY
6 PLAN AND EXPLAIN THE DEFICIENCIES THAT CAUSED THE REJECTION.

7 (D) COUNCIL REVIEW.--THE COUNCIL SHALL HAVE 60 DAYS TO
8 REVIEW THE PLAN AND MAKE SUGGESTED REVISIONS OF THE PLAN. THE
9 COUNCIL SHALL SUBMIT ITS FINDINGS IN WRITING TO THE DEPARTMENT.
10 THE PENNSYLVANIA EMERGENCY MANAGEMENT AGENCY MAY ACT AS AGENT
11 FOR THE COUNCIL IN THE ADMINISTRATION OF THE PLAN APPROVAL
12 PROCESS.

13 (E) COMMISSION REVIEW.-- THE COMMISSION SHALL REVIEW THE
14 COUNTY PLAN ONLY IN RELATION TO THE CONTRIBUTION RATE AND MAY
15 MODIFY ONLY THOSE CONTRIBUTION RATES WHICH IT FINDS EXCESSIVE TO
16 MEET THE COSTS STATED IN THE PLAN. THE RATES SHALL BE REVIEWED
17 AND A DECISION FORWARDED TO THE DEPARTMENT WITHIN 60 DAYS OF THE
18 DATE OF SUBMISSION. IF THE COMMISSION FAILS TO REVIEW THE
19 CONTRIBUTION RATE WITHIN 60 DAYS, THE CONTRIBUTION RATE WILL BE
20 DEEMED APPROVED BY THE COMMISSION.

21 (F) SUBMISSION TO VOTERS.--ONCE THE PLAN IS APPROVED BY THE
22 DEPARTMENT AND THE CONTRIBUTION RATE HAS BEEN APPROVED BY THE
23 COMMISSION PURSUANT TO THIS SECTION, THE PLAN SHALL BE SUBMITTED
24 TO THE VOTERS PURSUANT TO SECTION 6.

25 (G) PRESENT SYSTEMS.--THOSE COUNTIES THAT PRESENTLY HAVE 911
26 SYSTEMS MAY ESTABLISH A CONTRIBUTION RATE TO COVER OPERATING
27 COSTS OF AN EXISTING 911 SYSTEM BY USING THE SAME CONTRIBUTION
28 RATE APPROVAL MECHANISM AS A NEW 911 SYSTEM, EXCEPT THAT SUCH
29 CONTRIBUTION RATE NEED NOT BE SUBMITTED TO THE VOTERS.

30 (H) REGIONAL SYSTEMS.--NOTHING IN THIS ACT SHALL BE

1 CONSTRUED TO PROHIBIT THE FORMATION OF MULTIJURISDICTIONAL OR
2 REGIONAL 911 SYSTEMS, AND ANY SYSTEM ESTABLISHED UNDER THIS ACT
3 MAY INCLUDE THE TERRITORY OF A COUNTY. IT SHALL NOT BE NECESSARY
4 FOR TWO COUNTIES THAT HAVE RECEIVED VOTER APPROVAL TO SUBMIT THE
5 QUESTION FOR A MULTIJURISDICTIONAL SYSTEM.

6 (I) CONTRIBUTION RATE CHANGES.--ONCE A PLAN AND CONTRIBUTION
7 RATE HAVE BEEN APPROVED BY THE VOTERS AND ESTABLISHED, THE
8 CONTRIBUTION RATE SHALL REMAIN FIXED FOR A PERIOD OF AT LEAST
9 FOUR YEARS. UPDATING AND EXPANDING THE PRESENT SYSTEM SHALL
10 REQUIRE AN AMENDED PLAN TO BE FILED WITH THE DEPARTMENT.
11 REQUESTS FOR CONTRIBUTION RATE CHANGES SHALL BE SUBMITTED TO THE
12 DEPARTMENT TO BE FORWARDED TO THE COMMISSION FOR APPROVAL AS
13 PROVIDED BY SUBSECTION (E). CONTRIBUTION RATE CHANGES SHALL NOT
14 REQUIRE VOTER APPROVAL. CONTRIBUTION RATE INCREASES SHALL NOT BE
15 PERMITTED MORE OFTEN THAN EVERY FOUR YEARS AND SHALL NOT TAKE
16 EFFECT UNLESS APPROVED BY THE COMMISSION.

17 (J) ASSESSMENT.--THE MONEYS COLLECTED FROM THE TELEPHONE
18 CONTRIBUTION RATE SHALL BE UTILIZED ONLY TO PAY FOR THE
19 OPERATION OF A 911 SYSTEM. THE ASSESSMENT MAY BE MADE AFTER THE
20 EXECUTION OF A CONTRACT BUT NO EARLIER THAN 90 DAYS PRIOR TO THE
21 OPERATION OF 911 SERVICE. THE MONEY COLLECTED FROM THE
22 CONTRIBUTION RATE IS A COUNTY FEE COLLECTED BY THE TELEPHONE
23 COMPANY; THE MONEY IS NOT SUBJECT TO TAXES OR CHARGES LEVIED ON
24 OR BY THE TELEPHONE COMPANY. THE MONEY COLLECTED FROM THE
25 CONTRIBUTION RATE SHALL NOT BE CONSIDERED REVENUE OF THE
26 TELEPHONE COMPANY FOR ANY PURPOSE.

27 SECTION 6. REFERENDUM.

28 (A) QUESTION.--BEFORE ANY COUNTY MAY ESTABLISH A 911 SYSTEM
29 AND IMPOSE A CONTRIBUTION RATE UNDER THIS ACT, IT SHALL SUBMIT
30 THE PROPOSAL TO THE ELECTORS OF THE COUNTY FOR THEIR APPROVAL AT

1 THE NEXT MUNICIPAL OR GENERAL ELECTION FOR WHICH THE ADVERTISING
2 REQUIREMENTS OF THE ACT OF JUNE 3, 1937 (P.L.1333, NO.320),
3 KNOWN AS THE PENNSYLVANIA ELECTION CODE, CAN BE MET. THE
4 QUESTION SHALL BE:

5 SHALL THE COUNTY OF ESTABLISH A 911
6 EMERGENCY COMMUNICATION SYSTEM AND IMPOSE A CURRENT
7 CONTRIBUTION RATE OF EACH MONTH UPON ALL TELEPHONE
8 SUBSCRIBERS TO FINANCE SUCH SERVICE?

9 (B) ACCEPTANCE OR REJECTION.--IF A MAJORITY OF THE VOTES
10 CAST ON THE PROPOSAL BY THE QUALIFIED ELECTORS VOTING THEREON
11 ARE IN FAVOR OF THE PROPOSAL, THE COUNTY SHALL ESTABLISH THE
12 SERVICE AND IMPOSE THE CONTRIBUTION RATE ALLOWED BY THIS ACT. IF
13 A MAJORITY OF THE VOTES CAST ON THE PROPOSAL ARE OPPOSED TO THE
14 PROPOSAL, THE COUNTY SUBMITTING THE PROPOSAL SHALL NOT ESTABLISH <—
15 THE SERVICE OR IMPOSE THE CONTRIBUTION RATE AND SHALL NOT BE
16 ELIGIBLE FOR AN INSTALLATION LOAN FROM THE DEPARTMENT AS
17 PROVIDED FOR IN THIS ACT. THE QUESTION MAY BE PUT BEFORE THE
18 ELECTORS AT ANY SUBSEQUENT ELECTION, PURSUANT TO THIS SECTION.

19 (C) CONDUCT OF REFERENDUM.--THE REFERENDUM UNDER THIS
20 SECTION SHALL BE HELD IN ACCORDANCE WITH THE PENNSYLVANIA
21 ELECTION CODE.

22 SECTION 7. COLLECTION AND DISBURSEMENT OF CONTRIBUTION.

23 (A) SUBSCRIBERS' CONTRIBUTION.--EACH SERVICE SUPPLIER
24 PROVIDING LOCAL EXCHANGE TELEPHONE SERVICE WITHIN THE COUNTY
25 SHALL COLLECT THE CONTRIBUTION FROM EACH SUBSCRIBER AND FORWARD
26 THE COLLECTION QUARTERLY TO THE COUNTY TREASURER, OR, IN A HOME
27 RULE COUNTY, THE COUNTY OFFICIAL RESPONSIBLE FOR THE COLLECTION
28 AND DISBURSEMENT OF FUNDS. THE AMOUNT OF THE SUBSCRIBERS'
29 CONTRIBUTION SHALL BE STATED SEPARATELY IN THE TELEPHONE
30 SUBSCRIBERS' BILLING. EACH SERVICE SUPPLIER SHALL RETAIN 1% OF

1 THE GROSS RECEIPTS COLLECTED TO COVER ADMINISTRATIVE COSTS.

2 (B) SUBSCRIBERS' CONTRIBUTION FOR MULTIPLE LINE SYSTEMS.--IN
3 THE CASE OF CENTREX OR SIMILAR MULTIPLE LINE SYSTEM SUBSCRIBERS,
4 THE FOLLOWING MULTIPLIERS SHALL BE APPLIED TO DETERMINE THE
5 CONTRIBUTION RATE OF EACH SUCH SUBSCRIBER:

6 (1) FOR THE FIRST 25 LINES, EACH LINE SHALL BE BILLED
7 AT THE APPROVED CONTRIBUTION RATE.

8 (2) FOR LINES 26 THROUGH 100, EACH LINE SHALL BE BILLED
9 AT 0.75 OF THE APPROVED CONTRIBUTION RATE.

10 (3) FOR LINES 101 THROUGH 250, EACH LINE SHALL BE
11 BILLED AT 0.50 OF THE APPROVED CONTRIBUTION RATE.

12 (4) FOR LINES 251 THROUGH 500, EACH LINE SHALL BE
13 BILLED AT 0.20 OF THE APPROVED CONTRIBUTION RATE.

14 (5) FOR LINES 501 OR MORE, EACH LINE SHALL BE BILLED AT
15 0.172 OF THE APPROVED CONTRIBUTION RATE.

16 (C) RESTRICTED ACCOUNT.--THE COUNTY TREASURER, OR, IN A HOME
17 RULE COUNTY, THE COUNTY OFFICIAL RESPONSIBLE FOR THE COLLECTION
18 AND DISBURSEMENT OF FUNDS SHALL DEPOSIT THE MONEYS RECEIVED IN
19 AN INTEREST-BEARING RESTRICTED ACCOUNT USED SOLELY FOR THE
20 PURPOSE OF RECURRING CHARGES BILLED FOR THE 911 SYSTEM AND FOR
21 THE PURPOSE OF MAKING PAYMENTS UNDER SUBSECTION (D). THE
22 GOVERNING BODY OF THE COUNTY SHALL MAKE AN ANNUAL APPROPRIATION
23 FROM SUCH ACCOUNT FOR THE 911 SYSTEM, SUBJECT TO THE PROVISIONS
24 OF SUBSECTION (D), AND MAY RETAIN UP TO 1% OF THE GROSS RECEIPTS
25 COLLECTED TO COVER ADMINISTRATIVE COSTS.

26 (D) REIMBURSEMENT TO MUNICIPALITIES.--THE COUNTY TREASURER
27 SHALL, ON A QUARTERLY BASIS, PAY FROM FUNDS OF THE RESTRICTED
28 ACCOUNT TO A MUNICIPALITY WHICH OPERATES A 911 SYSTEM
29 ESTABLISHED PRIOR TO THE EFFECTIVE DATE OF THIS ACT, A SUM OF
30 MONEY NOT LESS THAN THAT CONTRIBUTED BY THE TELEPHONE

1 SUBSCRIBERS OF THAT MUNICIPALITY TO THE COUNTY 911 SYSTEM.

2 (E) COLLECTION ENFORCEMENT.--NOTHING IN THIS ACT SHALL
3 IMPOSE ANY OBLIGATION UPON A TELEPHONE COMPANY TO TAKE LEGAL
4 ACTION TO ENFORCE COLLECTION OF THE CONTRIBUTION IMPOSED BY THIS
5 SECTION. UPON REQUEST BY THE COUNTY, THE TELEPHONE COMPANY SHALL
6 PROVIDE THE COUNTY WITH A LIST OF AMOUNTS UNCOLLECTED ALONG WITH
7 THE NAMES AND ADDRESSES OF THE TELEPHONE SUBSCRIBERS WHO HAVE
8 NOT PAID THE 911 CONTRIBUTION RATE.

9 SECTION 8. STRUCTURE OF LOAN PROGRAM.

10 (A) SOURCE OF FUNDS.--FUNDS FOR INSTALLATION LOANS SHALL BE
11 PROVIDED FROM THE EMERGENCY COMMUNICATIONS LOAN ACCOUNT WITHIN
12 THE STATE PURCHASING FUND.

13 (B) LIMIT ON FUNDING.--NO COUNTY SHALL, IN ANY YEAR, BE
14 LOANED MORE THAN 20% OF THE TOTAL AMOUNT AVAILABLE FOR LOAN
15 UNLESS THERE ARE INSUFFICIENT APPLICANTS TO CONSUME THE ENTIRE
16 AVAILABLE AMOUNT.

17 (C) LOAN TERMS.--THE DEPARTMENT MAY ISSUE A LOAN TO A COUNTY
18 TO ESTABLISH A 911 SYSTEM UPON APPROVAL OF A COUNTY PLAN AS
19 REQUIRED BY SECTION 5 AND REFERENDUM AS REQUIRED BY SECTION 6.
20 LOANS ISSUED BY THE DEPARTMENT MUST BE REPAYED IN EQUAL ANNUAL
21 INSTALLMENTS WITHIN FOUR YEARS OF ISSUANCE. THE COUNTY RECEIVING
22 THE LOAN SHALL NOT BE CHARGED INTEREST ON THE PRINCIPAL OF THE
23 LOAN. IF A COUNTY FAILS TO REPAY THE PRINCIPAL DUE TO THE
24 COMMONWEALTH IN ANY YEAR, THE COMMONWEALTH SHALL WITHHOLD AN
25 AMOUNT EQUAL TO THE UNPAID PRINCIPAL FROM THE COUNTY'S PORTION
26 OF THE LIQUID FUELS TAX ALLOCATION.

27 (D) STATUS REPORTS.--THE DEPARTMENT SHALL REPORT ANNUALLY TO
28 THE MAJORITY AND MINORITY LEADERS OF EACH HOUSE, THE STATUS OF
29 THE EMERGENCY COMMUNICATION LOAN ACCOUNT WITHIN THE STATE
30 PURCHASING FUND. THE REPORT SHALL BE SUBMITTED WITHIN A

1 REASONABLE PERIOD FOLLOWING THE END OF EACH FISCAL YEAR AND
2 SHALL SHOW LOAN DISBURSEMENTS, LOAN RECEIPTS, TRANSFERS AND THE
3 CASH BALANCE.

4 SECTION 9. EXPENDITURES FOR MAINTENANCE AND OPERATION OF 911
5 SYSTEMS.

6 (A) EXPENDITURES AUTHORIZED.--DURING EACH COUNTY'S FISCAL
7 YEAR, THE COUNTY MAY EXPEND THE AMOUNTS DISTRIBUTED TO IT FROM
8 THE CONTRIBUTION RATE FOR THE MAINTENANCE AND OPERATION OF A
9 COUNTY 911 SYSTEM.

10 (B) ITEMS INCLUDED IN MAINTENANCE AND OPERATION COSTS.--
11 MAINTENANCE AND OPERATION COSTS MAY INCLUDE TELEPHONE COMPANY
12 CHARGES, EQUIPMENT COSTS OR EQUIPMENT LEASE CHARGES, REPAIRS,
13 UTILITIES, DATA BASE MAINTENANCE COSTS, PERSONNEL COSTS, AUDIT
14 COSTS, REPAYMENT OF INSTALLATION LOANS PROVIDED BY THE
15 DEPARTMENT AND APPROPRIATE CARRYOVER COSTS FROM PREVIOUS YEARS.
16 MAINTENANCE AND OPERATION COSTS SHALL NOT INCLUDE ANY COST
17 NECESSARY TO HOUSE THE 911 SYSTEM.

18 (C) LIMITATIONS ON EXPENDITURES.--THE DEPARTMENT SHALL ADOPT
19 PROCEDURES TO ASSURE THAT THE TOTAL AMOUNT COLLECTED FROM THE
20 911 CONTRIBUTION RATE SHALL BE EXPENDED ONLY FOR THE MAINTENANCE
21 AND OPERATION OF A COUNTY 911 SYSTEM.

22 (D) ANNUAL AUDIT.--THE DEPARTMENT SHALL REQUIRE AN ANNUAL
23 AUDIT OF EACH COUNTY'S EXPENDITURES FOR THE MAINTENANCE AND
24 OPERATION OF 911 SYSTEMS. THE ANNUAL AUDIT COST SHALL BE PAID BY
25 THE RESPECTIVE COUNTY FROM CONTRIBUTION RATE REVENUES.

26 SECTION 10. PAY TELEPHONE ACCESS.

27 THE COMMISSION SHALL PROMULGATE REGULATIONS REQUIRING FREE
28 ACCESS TO 911 SERVICE FROM PAY TELEPHONES.

29 SECTION 11. TELEPHONE RECORDS.

30 (A) ACCESS.--EACH TELEPHONE SERVICE SUPPLIER SHALL PROVIDE

1 CUSTOMER TELEPHONE NUMBERS, NAMES AND SERVICE ADDRESSES TO 911
2 SYSTEMS WHEN REQUIRED. ALTHOUGH CUSTOMER NUMBERS, NAMES AND
3 SERVICE ADDRESSES SHALL BE AVAILABLE TO 911 SYSTEMS, SUCH
4 INFORMATION SHALL REMAIN THE PROPERTY OF THE DISCLOSING SERVICE
5 SUPPLIER. THE TOTAL COST OF THE SYSTEM SHALL INCLUDE EXPENSES TO
6 REIMBURSE TELEPHONE SERVICE SUPPLIERS FOR PROVIDING AND
7 MAINTAINING 911 INFORMATION. THIS INFORMATION SHALL BE USED ONLY
8 IN PROVIDING EMERGENCY RESPONSE SERVICES TO A 911 CALL. A PERSON
9 WHO USES OR DISCLOSES DATA BASE INFORMATION FOR PURPOSES OTHER
10 THAN HANDLING A 911 CALL COMMITS A MISDEMEANOR OF THE THIRD
11 DEGREE.

12 (B) PRIVACY WAIVED.--PRIVATE LISTING SERVICE CUSTOMERS IN A
13 911 SERVICE DISTRICT SHALL WAIVE THE PRIVACY AFFORDED BY
14 NONLISTED AND NONPUBLISHED NUMBERS WHEN USING THE 911 EMERGENCY
15 SERVICE.

16 (C) IMMUNITY.--NO TELEPHONE COMPANY, OR AGENTS, OR EMPLOYEES
17 OF A TELEPHONE COMPANY SHALL BE LIABLE TO ANY PERSON WHO USES
18 THE 911 EMERGENCY SERVICE ESTABLISHED UNDER THIS ACT, FOR
19 RELEASE TO A PUBLIC SAFETY ANSWERING POINT OF INFORMATION
20 SPECIFIED IN THIS SECTION THAT IS NOT ALREADY PART OF THE PUBLIC
21 RECORD, INCLUDING NONPUBLISHED TELEPHONE NUMBERS.

22 SECTION 12. PENALTY.

23 ANY PERSON WHO INTENTIONALLY CALLS THE 911 EMERGENCY NUMBER
24 FOR OTHER THAN EMERGENCY PURPOSES COMMITS A MISDEMEANOR OF THE
25 THIRD DEGREE.

26 SECTION 13. RULES AND REGULATIONS.

27 THE DEPARTMENT, IN COOPERATION WITH THE COUNCIL AND THE
28 COMMISSION, MAY PRESCRIBE SUCH APPLICATION FORMS AND PROMULGATE
29 SUCH GUIDELINES, RULES AND REGULATIONS AS MAY BE NECESSARY TO
30 CARRY OUT THE PROVISIONS OF THIS ACT.

1 SECTION 14. REPEALS.

2 THE ACT OF APRIL 28, 1978 (P.L.90, NO.42), KNOWN AS THE
3 EMERGENCY TELEPHONE ACT, IS REPEALED.

4 SECTION 15. EFFECTIVE DATE.

5 THIS ACT SHALL TAKE EFFECT IN 60 DAYS.