

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 859 Session of 2019

INTRODUCED BY BARRAR, SAINATO, DeLUCA, FARRY, GILLEN, HILL-
 EVANS, JAMES, MILLARD, NEILSON, PICKETT, QUINN, READSHAW,
 RYAN, SAYLOR, WHEELAND, ZIMMERMAN, KORTZ AND DELLOSO,
 MARCH 18, 2019

SENATOR REGAN, VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, IN
 SENATE, AS AMENDED, JUNE 11, 2019

AN ACT

1 Amending Title 35 (Health and Safety) of the Pennsylvania
 2 Consolidated Statutes, in 911 emergency communication
 3 services, further providing for ~~counties~~ DEFINITIONS, FOR <--
 4 TELECOMMUNICATIONS MANAGEMENT, FOR COUNTIES, FOR FUND, FOR
 5 TELEPHONE RECORDS, for inventory and for termination OF <--
 6 CHAPTER.

7 The General Assembly of the Commonwealth of Pennsylvania
 8 hereby enacts as follows:

9 ~~Section 1. Sections 5304(c), 5314(a) and (c) and 5398 of~~ <--
 10 ~~Title 35 of the Pennsylvania Consolidated Statutes are amended~~
 11 ~~to read:~~

12 ~~§ 5304. Counties.~~

13 * * *

14 SECTION 1. THE DEFINITIONS OF "911 SYSTEM" AND "PUBLIC <--
 15 SAFETY ANSWERING POINT" OR "PSAP" IN SECTION 5302 OF TITLE 35 OF
 16 THE PENNSYLVANIA CONSOLIDATED STATUTES ARE AMENDED TO READ:

17 § 5302. DEFINITIONS.

18 THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS CHAPTER

1 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE
2 CONTEXT CLEARLY INDICATES OTHERWISE:

3 * * *

4 "911 SYSTEM." A SYSTEM CAPABLE OF RECEIVING AND PROCESSING A
5 911 COMMUNICATION THROUGHOUT A DEFINED GEOGRAPHIC AREA. THE TERM
6 SHALL INCLUDE A [CITY,] COUNTY[,] OR COUNTY-BASED REGIONAL 911
7 SYSTEM OR A PSAP.

8 * * *

9 "PUBLIC SAFETY ANSWERING POINT" OR "PSAP." THE AGENCY-
10 APPROVED ENTITY THAT RECEIVES 911 COMMUNICATIONS FROM A DEFINED
11 GEOGRAPHIC AREA AND PROCESSES THOSE CALLS ACCORDING TO A
12 SPECIFIC OPERATIONAL POLICY. THE TERM SHALL REFER TO A COUNTY OR
13 COUNTY-BASED REGIONAL 911 SYSTEM.

14 * * *

15 SECTION 2. SECTION 5303(A)(15) AND (B)(1), (3) AND (4) OF
16 TITLE 35 ARE AMENDED TO READ:

17 § 5303. TELECOMMUNICATIONS MANAGEMENT.

18 (A) POWERS AND DUTIES OF AGENCY.--THE AGENCY SHALL HAVE THE
19 FOLLOWING POWERS AND DUTIES:

20 * * *

21 (15) TO ADOPT, IN CONSULTATION WITH THE BOARD, MINIMUM
22 TRAINING [AND] CERTIFICATION AND QUALITY ASSURANCE STANDARDS
23 FOR EMERGENCY DISPATCHERS, CALL TAKERS AND SUPERVISORS.

24 * * *

25 (B) ESTABLISHMENT OF 911 BOARD.--THERE IS ESTABLISHED A
26 BOARD WITHIN THE AGENCY TO BE KNOWN AS THE 911 BOARD. THE BOARD
27 SHALL BE COMPRISED OF THE FOLLOWING:

28 (1) THE FOLLOWING STATE OFFICIALS, WHO SHALL SERVE AS
29 VOTING MEMBERS:

30 (I) THE DIRECTOR OF THE AGENCY, WHO SHALL ACT AS

1 CHAIRPERSON.

2 (II) THE STATE 911 COORDINATOR.

3 (III) THE COMMISSIONER OF THE PENNSYLVANIA STATE
4 POLICE.

5 (IV) THE CHAIRMAN OF THE VETERANS AFFAIRS AND
6 EMERGENCY PREPAREDNESS COMMITTEE OF THE SENATE.

7 (V) THE MINORITY CHAIRMAN OF THE VETERANS AFFAIRS
8 AND EMERGENCY PREPAREDNESS COMMITTEE OF THE SENATE.

9 (VI) THE CHAIRMAN OF THE VETERANS AFFAIRS AND
10 EMERGENCY PREPAREDNESS COMMITTEE OF THE HOUSE OF
11 REPRESENTATIVES.

12 (VII) THE MINORITY CHAIRMAN OF THE VETERANS AFFAIRS
13 AND EMERGENCY PREPAREDNESS COMMITTEE OF THE HOUSE OF
14 REPRESENTATIVES.

15 (VIII) THE STATE FIRE COMMISSIONER.

16 (IX) THE CHAIRPERSON OF THE STATE GEOSPATIAL
17 COORDINATING BOARD.

18 * * *

19 (3) A REPRESENTATIVE FROM THE FOLLOWING STATE AGENCIES,
20 WHO SHALL SERVE AS NONVOTING MEMBERS, TO BE APPOINTED BY THE
21 CHIEF EXECUTIVE OR ADMINISTRATIVE OFFICER OF EACH AGENCY:

22 (I) THE PENNSYLVANIA PUBLIC UTILITY COMMISSION.

23 [(II) THE OFFICE OF THE STATE FIRE COMMISSIONER.]

24 (III) THE GOVERNOR'S OFFICE OF ADMINISTRATION.

25 (4) A REPRESENTATIVE FROM THE FOLLOWING STATEWIDE
26 ASSOCIATIONS, WHO SHALL SERVE AS NONVOTING MEMBERS:

27 (I) THE PENNSYLVANIA CHIEFS OF POLICE ASSOCIATION.

28 (II) THE FRATERNAL ORDER OF POLICE.

29 (III) THE PENNSYLVANIA EMERGENCY HEALTH SERVICES
30 COUNCIL.

1 (IV) THE PENNSYLVANIA FIRE AND EMERGENCY SERVICES
2 INSTITUTE.

3 (V) THE ASSOCIATION OF PUBLIC-SAFETY COMMUNICATIONS
4 OFFICIALS.

5 (VI) THE PENNSYLVANIA CHAPTER OF THE NATIONAL
6 EMERGENCY NUMBER ASSOCIATION.

7 (VII) THE KEYSTONE EMERGENCY MANAGEMENT ASSOCIATION.

8 (VIII) THE PENNSYLVANIA PROFESSIONAL FIRE FIGHTERS
9 ASSOCIATION.

10 (IX) THE FIREMEN'S ASSOCIATION OF THE STATE OF
11 PENNSYLVANIA.

12 (X) THE PENNSYLVANIA WIRELESS ASSOCIATION.

13 (XI) THE PENNSYLVANIA TELEPHONE ASSOCIATION.

14 (XII) THE BROADBAND CABLE ASSOCIATION OF
15 PENNSYLVANIA.

16 (XIII) THE PENNSYLVANIA MUNICIPAL LEAGUE.

17 (XIV) THE PENNSYLVANIA STATE ASSOCIATION OF
18 BOROUGHES.

19 (XV) THE PENNSYLVANIA STATE ASSOCIATION OF TOWNSHIP
20 SUPERVISORS.

21 (XVI) THE PENNSYLVANIA STATE ASSOCIATION OF TOWNSHIP
22 COMMISSIONERS.

23 (XVII) THE AMBULANCE ASSOCIATION OF PENNSYLVANIA.

24 (XVIII) THE PENNSYLVANIA ASSOCIATION OF COUNCILS OF
25 GOVERNMENTS.

26 * * *

27 SECTION 3. SECTION 5304(C) OF TITLE 35 IS AMENDED AND
28 SUBSECTION (A) IS AMENDED BY ADDING A PARAGRAPH TO READ:
29 § 5304. COUNTIES.

30 (A) POWERS AND DUTIES.--EACH COUNTY SHALL HAVE THE FOLLOWING

1 POWERS AND DUTIES IN RELATION TO A 911 SYSTEM:

2 * * *

3 (10) TO MAKE REASONABLE EFFORTS TO ENSURE REQUIRED
4 GEOGRAPHIC INFORMATION SYSTEM (GIS) INFORMATION IS AVAILABLE
5 AND MAINTAINED TO SUPPORT NEXT GENERATION 911 CALL DELIVERY.
6 THE FOLLOWING APPLY:

7 (I) COUNTIES MUST COOPERATE WITH EACH OTHER TO
8 DEVELOP THE PSAP BOUNDARY, EMERGENCY SERVICE BOUNDARY,
9 PROVISIONING BOUNDARY AND ROAD CENTERLINE DATA SETS.

10 (II) COUNTIES SHALL SHARE GIS DATA NEEDED TO SUPPORT
11 GEOSPATIAL CALL ROUTING.

12 [(c) Cities of second class, second class A and third
13 class.--A city of the second class, second class A or third
14 class that has established a 911 system prior to September 4,
15 1990, may exercise the powers and duties of counties under this
16 chapter or may join a county or regional PSAP.]

17 SECTION 4. SECTIONS 5306.1(D) (2), 5309(A), 5314(A) AND (C) <--
18 AND 5398 OF TITLE 35 ARE AMENDED TO READ:

19 § 5306.1. FUND.

20 * * *

21 (D) DISTRIBUTION.--WITHIN 30 DAYS AFTER THE END OF EACH
22 QUARTER, THE AGENCY SHALL DETERMINE THE AMOUNT AVAILABLE FROM
23 THE FUND FOR DISTRIBUTION AND MAKE DISBURSEMENTS IN ACCORDANCE
24 WITH THE STATEWIDE 911 PLAN AND THIS CHAPTER AND IN ACCORDANCE
25 WITH THE FOLLOWING:

26 * * *

27 (2) UP TO 15% OF THE AMOUNT IN THE FUND SHALL BE USED BY
28 THE AGENCY TO ESTABLISH, ENHANCE, OPERATE OR MAINTAIN
29 STATEWIDE INTERCONNECTIVITY OF 911 SYSTEMS, INCLUDING, BUT
30 NOT LIMITED TO, THE USE OR OBLIGATIONS OF MONEY FOR DEBT

1 SERVICE RELATED TO REGIONAL OR STATEWIDE INTERCONNECTIVITY.
2 MONEY UNDER THIS PARAGRAPH MAY ALSO BE USED TO PURCHASE A
3 STATEWIDE SYSTEM DESIGNED TO ALLOW INDIVIDUALS TO IDENTIFY
4 THEIR PHONE NUMBERS AS ASSOCIATED WITH A PERSON WITH A
5 PHYSICAL DISABILITY, SO THAT WHEN AN INDIVIDUAL MAKES A 911
6 CALL, THE PSAP HAS THIS INFORMATION.

7 * * *

8 § 5309. TELEPHONE RECORDS.

9 (A) ACCESS.--A TELEPHONE SERVICE SUPPLIER SHALL PROVIDE
10 CUSTOMER TELEPHONE NUMBERS, NAMES AND SERVICE ADDRESSES TO PSAPS
11 WHEN REQUESTED BY THEM FOR USE IN RESPONDING TO 911 CALLS AND
12 FOR THE SYNCHRONIZATION OF REQUIRED GEOGRAPHIC INFORMATION
13 SYSTEM (GIS) DATABASE LAYERS FOR GEOSPATIAL CALL ROUTING WITH
14 THE MASTER STREET ADDRESS GUIDE, THE ALI DATA AND SITE AND
15 STRUCTURE LOCATIONS AND, WHEN REQUIRED, TO PROVIDERS OF
16 EMERGENCY NOTIFICATION SERVICES AND EMERGENCY SUPPORT SERVICES,
17 SOLELY FOR THE PURPOSES OF DELIVERING OR ASSISTING IN THE
18 DELIVERY OF EMERGENCY NOTIFICATION SERVICES AND EMERGENCY
19 SUPPORT SERVICES. A WIRELESS PROVIDER SHALL PROVIDE THE
20 TELEPHONE NUMBER AND GEOGRAPHICAL LOCATION OF THE WIRELESS
21 DEVICE, AS REQUIRED UNDER THE FCC E-911 ORDER, TO PSAPS WHEN
22 REQUESTED BY THEM FOR USE IN RESPONDING TO 911 CALLS. CUSTOMER
23 TELEPHONE NUMBERS, NAMES AND SERVICE ADDRESSES, AND TELEPHONE
24 NUMBERS AND GEOGRAPHICAL LOCATIONS OF WIRELESS DEVICES, SHALL
25 REMAIN THE PROPERTY OF THE DISCLOSING SERVICE SUPPLIER. THE
26 TOTAL COST OF THE 911 SYSTEM SHALL INCLUDE EXPENSES TO REIMBURSE
27 TELEPHONE SERVICE SUPPLIERS FOR PROVIDING AND MAINTAINING 911
28 INFORMATION. A TELEPHONE SERVICE SUPPLIER SHALL NOT BE
29 REIMBURSED DIRECTLY FROM THE FUND FOR PROVIDING AND MAINTAINING
30 911 INFORMATION. THIS INFORMATION SHALL BE USED ONLY IN

1 PROVIDING EMERGENCY RESPONSE SERVICES TO A 911 CALL,
2 SYNCHRONIZING MASTER STREET ADDRESS GUIDE, ALI AND GIS DATA SETS
3 OR FOR PURPOSES OF DELIVERING OR ASSISTING IN THE DELIVERY OF
4 EMERGENCY NOTIFICATION SERVICES OR EMERGENCY SUPPORT SERVICES. A
5 PERSON WHO USES OR DISCLOSES ANI/ALI DATABASE INFORMATION FOR
6 PURPOSES OTHER THAN PROVIDING EMERGENCY RESPONSE SERVICES TO A
7 911 CALL, DELIVERING OR ASSISTING IN THE DELIVERY OF EMERGENCY
8 NOTIFICATION SERVICES COMMITS A MISDEMEANOR OF THE THIRD DEGREE.

9 * * *

10 § 5314. Inventory.

11 (a) Comprehensive inventory required.--The agency, in
12 consultation with the board, shall [conduct] maintain and update
13 on a biennial basis a comprehensive inventory of each county
14 PSAP's facilities, hardware, software, communications
15 infrastructure, network capabilities and related equipment and
16 services procured to determine the status of each PSAP's 911
17 system's stage of advancement to NG911.

18 * * *

19 (c) Counties to cooperate.--Counties shall cooperate with
20 the agency by providing the information identified in this
21 section and other information deemed necessary by the agency to
22 complete an inventory as required under subsection (a). Counties
23 that do not provide the information requested by the agency
24 within 45 days of the request shall be suspended from any grant
25 or funding program or be required to forfeit fund disbursements.
26 [The agency, in consultation with the board and the Governor's
27 Interoperability Council, shall complete the inventory and issue
28 a report detailing its findings and recommendations to the
29 General Assembly by March 31, 2016. The agency shall be
30 responsible for maintaining and updating the inventory on a

1 biannual basis.]

2 § 5398. Termination.

3 This chapter shall expire [June 30, †2019] ~~2023~~ JANUARY 31, <--
4 2024.

5 Section 2 5. This act shall take effect immediately. <--