
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1854 Session of
2023

INTRODUCED BY SOLOMON, GUENST, HILL-EVANS, T. DAVIS, MUNROE,
BOROWSKI, MADDEN, McNEILL, GALLAGHER, SCHLOSSBERG, ZIMMERMAN,
VENKAT AND WEBSTER, NOVEMBER 15, 2023

REFERRED TO COMMITTEE ON VETERANS AFFAIRS AND EMERGENCY
PREPAREDNESS, NOVEMBER 15, 2023

AN ACT

1 Amending Title 35 (Health and Safety) of the Pennsylvania
2 Consolidated Statutes, in 911 emergency communication
3 services, further providing for definitions, for
4 telecommunications management and for counties, providing for
5 addressing authorities and for next generation 911 call
6 delivery, further providing for 911 system plan, for fund,
7 for uniform 911 surcharge, for payment, collection and
8 remittance of surcharge by providers of 911 communications
9 services, for payment, collection and remittance of surcharge
10 by sellers of prepaid wireless telecommunications service,
11 for telephone records, for penalty, for immunity and for
12 shared residential MLTS service, repealing provisions
13 relating to business MLTS, to shared communications services,
14 to temporary residence and to local notification, further
15 providing for ALI database maintenance, repealing provisions
16 relating to dialing instructions and further providing for
17 MLTS signaling, for termination and for prohibited release of
18 information.

19 The General Assembly of the Commonwealth of Pennsylvania
20 hereby enacts as follows:

21 Section 1. The definitions of "911 communications service,"
22 "911 service provider," "ALI," "ANI," "automatic location
23 information," "automatic number identification," "call,"
24 "emergency location identification number" or "ELIN," "private
25 911 emergency answering point," "shared residential MLTS

1 service," "shared telecommunications services" and "temporary
2 facility" in section 5302 of Title 35 of the Pennsylvania
3 Consolidated Statutes are amended and the section is amended by
4 adding definitions to read:

5 § 5302. Definitions.

6 The following words and phrases when used in this chapter
7 shall have the meanings given to them in this section unless the
8 context clearly indicates otherwise:

9 * * *

10 "911 communications service." As follows:

11 (1) A service that allows the two-way transmission,
12 conveyance or routing of voice, data, audio, video or any
13 information of signals, including cable and internet protocol
14 services, to a point or between or among points by or through
15 any electronic, radio, satellite, cable, optical, microwave
16 or other medium or method in existence on or after the
17 effective date of this definition, regardless of protocol
18 used for the transmission or conveyance, only if that service
19 is capable of contacting a PSAP by entering or dialing the
20 digits 911 [and is subject to applicable Federal or State
21 requirements to provide the 911 dialing capability] or
22 addressing the ESInet.

23 (2) The term does not include wireless and Internet-
24 protocol-enabled services that are exempt from Federal
25 Communications Commission regulations for 911 communications
26 service, 911 service and next generation 911 service.

27 "911 service provider." An entity that provides all or parts
28 of the network, software applications, databases, [CPE] CHE
29 components and operations and management procedures required to
30 support a 911 system.

1 * * *

2 "Access line." The physical voice-grade telecommunications
3 connection or the cable or broadband transport facilities, or
4 any combination of these facilities owned, controlled or relied
5 upon by a 911 service provider between an end-user customer's
6 premises and a 911 service provider's network that, when the
7 digits 911 are dialed, provides the end-user customer access to
8 a PSAP through a permissible interconnection to the dedicated
9 911 network.

10 "Access line equivalent." In the case of multichannel
11 services or offerings, channelized by a service provider, each
12 individual channel or trunk provided to an end-user customer and
13 capable of supporting a voice call to 911 shall constitute a
14 separate access line or equivalent access line.

15 "Addressing authority." The entity responsible for assigning
16 an address to locations within a local government's geographical
17 area.

18 "Addressing the ESInet." A request for emergency service
19 made without physically dialing the digits "911".

20 * * *

21 ["ALI." Automatic location information.

22 "ANI." Automatic number identification.

23 ["Automatic location information."] "Automatic location

24 information" or "ALI." The delivery or receipt of location
25 information, including, but not limited to, the street address
26 or geographic location of a telecommunication device, as
27 specified in the FCC 911 Order, being used to communicate with a
28 911 system.

29 ["Automatic number identification."] "Automatic number
30 identification" or "ANI." The delivery or receipt of a

1 telephone number assigned to a telecommunication device being
2 used to communicate with a 911 system.

3 * * *

4 "Call." A [two-way communication established] request for
5 emergency assistance by any means or medium, including dialing
6 or texting 911 or addressing the ESInet using a 911
7 communications service.

8 * * *

9 "Call handling equipment." A functional element concerned
10 with the details of the management of calls that:

11 (1) Handles all communication from the caller.

12 (2) Includes the interfaces, devices, software and
13 applications utilized by the agents to handle the call.

14 * * *

15 "Dispatchable location." A location delivered to the PSAP
16 with a 911 call that consists of the validated street address of
17 the calling party and additional information such as suite,
18 apartment or similar information necessary to adequately
19 identify the location of the calling party, except for
20 commercial mobile radio service providers, which shall convey
21 the location information required by 47 CFR Pt. 9 Subpt. C
22 (relating to commercial mobile radio service).

23 ["Emergency location identification number" or "ELIN." A
24 valid North American Numbering Plan format telephone number
25 assigned to a multiline telephone system operator by the
26 appropriate authority which is used to route the call to a
27 public safety answering point and is used to retrieve the
28 automatic location information for the public safety answering
29 point. The ELIN may be the same number as the automatic number
30 identification. The North American Numbering Plan number may in

1 some cases not be a dialable number.]

2 * * *

3 "Emergency Services Internet Protocol network" or "ESInet."

4 A robust, redundant dedicated Internet Protocol-based private
5 network that serves as the foundation of next generation 911
6 services and is utilized to support the ingress, location,
7 routing and delivery of 911 calls, data and video to PSAPs.

8 * * *

9 "Geographic information systems" or "GIS." Computer-based
10 tools used in 911 services to identify geographic locations and
11 boundaries.

12 * * *

13 "Network operations center." A centralized location where
14 the performance and health of a network or system is
15 continuously monitored.

16 * * *

17 ["Private 911 emergency answering point." An answering point
18 operated by a nonpublic safety entity which:

19 (1) Provides functional alternative and adequate means
20 of signaling and directing responses to emergencies as an
21 adjunct to public safety responses.

22 (2) Trains individuals intercepting calls for assistance
23 in accordance with applicable local emergency
24 telecommunications requirements.

25 (3) Provides incident reporting to the public safety
26 emergency response centers in accordance with State and local
27 requirements.]

28 * * *

29 "Regional 911 system." A PSAP that combines two or more
30 primary PSAPs into a single physically combined primary PSAP

1 with an integrated management structure that serves the same
2 population previously served by independent primary PSAPs.

3 * * *

4 "Security operations center." A centralized location where a
5 network or system are continuously monitored to prevent, detect,
6 investigate and respond to cyber threats.

7 * * *

8 ["Shared residential MLTS service." The use of a multiline
9 telephone system to provide service to residential facilities
10 even if the service is not delineated for purposes of billing.
11 For purposes of this definition, residential facilities shall be
12 liberally construed to mean single family and multifamily
13 facilities.]

14 ["Shared telecommunications services." The provision of
15 telecommunications and information management services and
16 equipment within a user group located in discrete private
17 premises in building complexes, campuses or high-rise buildings
18 by a commercial shared services provider or by a user
19 association through privately owned subscriber premises
20 equipment and associated data processing and information
21 management services, including the provision of connections to
22 the facilities of a local exchange carrier and to interexchange
23 carriers.]

24 * * *

25 ["Temporary facility." A dormitory, hotel, motel, health
26 care facility, long-term care facility, nursing home or other
27 facility as determined by the agency that provides temporary
28 occupancy to temporary residents and that is served by a
29 multiline telephone system.]

30 * * *

1 "VOIP service line." This term has the same meaning as
2 "access line."

3 * * *

4 Section 2. Section 5303(a)(12) and (c)(4) and (5) of Title
5 35 are amended and subsection (a) is amended by adding
6 paragraphs to read:

7 § 5303. Telecommunications management.

8 (a) Powers and duties of agency.--The agency shall have the
9 following powers and duties:

10 * * *

11 (12) To require a [biennial] triennial performance audit
12 of each 911 system's use of money from the fund, including
13 allocations to capital or operating reserves.

14 * * *

15 (19) To procure industry standard next generation 911
16 call delivery services for all 911 systems.

17 (20) To establish joint purchasing agreements or other
18 contracts for the procurement of goods and services in
19 support of 911 service as identified in the State 911 Plan to
20 pursue cost and operational efficiencies.

21 (21) To provide education and outreach to addressing
22 authorities on next generation 911 addressing standards.

23 * * *

24 (c) Powers and duties of board.--The board shall have the
25 following powers and duties:

26 * * *

27 (4) To advise the agency on [plans to deploy] deployment
28 and implementation of next generation 911 technology in 911
29 systems in this Commonwealth.

30 (5) To promote [the] regional sharing and use of

1 technology.

2 * * *

3 Section 3. Section 5304(a)(7) and (8)(i)(B) of Title 35 are
4 amended, paragraph (10) is amended by adding a subparagraph and
5 the subsection is amended by adding paragraphs to read:

6 § 5304. Counties.

7 (a) Powers and duties.--Each county shall have the following
8 powers and duties in relation to a 911 system:

9 * * *

10 (7) To cooperate with the agency and board in the
11 preparation and submission of the 911 system plan.

12 (8) To cooperate with the Pennsylvania State Police.
13 Subject to subparagraphs (i) through (iii), a county that
14 utilizes ANI/ALI database services shall, upon request of the
15 Commissioner of the Pennsylvania State Police or the designee
16 of the commissioner, provide authority to access all ANI/ALI
17 database information relating to 911 calls for emergency
18 services, whether the database is held by the county or by a
19 commercial entity, following the established procedures of
20 the database owner. The following shall apply:

21 (i) In order to ensure that no county or PSAP
22 experiences degradation of service or additional costs as
23 a result of complying with this subsection:

24 * * *

25 (B) all means of access must be approved by the
26 county, PSAP, the agency and the Pennsylvania State
27 Police before the county is required to authorize or
28 provide the access. In the event of a dispute between
29 the Pennsylvania State Police and a county or PSAP
30 regarding approval by the county and PSAP, the

1 dispute shall be mediated by the Office of
2 Information Technology of the Commonwealth's Office
3 of Administration. The Office of Information
4 Technology may bring in a Commonwealth mediator from
5 the Office of General Counsel to provide assistance
6 in resolving the dispute.

7 * * *

8 (10) To make reasonable efforts to ensure required
9 geographic information system (GIS) information is available
10 and maintained to support next generation 911 call delivery.
11 The following apply:

12 * * *

13 (i.1) Counties must develop, publish, maintain and
14 provide the required GIS layers that meet the
15 Pennsylvania NG911 GIS Data Model published by the
16 agency, including developing or cooperating with the
17 applicable addressing authorities to develop site and
18 structure address point data to support NG911 call
19 delivery.

20 * * *

21 (11) To utilize the next generation 911 call delivery
22 services procured by the agency and cooperate with the
23 agency, next generation 911 service provider and other
24 applicable entities to help identify the cause of next
25 generation 911 service impacting issues and responsibility
26 for resolution until those items are identified.

27 (12) To maintain compliance with cybersecurity standards
28 published by the agency.

29 Section 4. Title 35 is amended by adding sections to read:
30 § 5304.2. Addressing authorities.

1 Each addressing authority in this Commonwealth shall have the
2 following powers and duties related to the 911 system:

3 (1) To issue new addresses in compliance with next
4 generation 911 standards.

5 (2) To provide new addresses to counties in a timely
6 manner to assist with provisioning new addresses into the
7 next generation 911 system and to assist first responders
8 with locating a site and structure. If an addressing
9 authority is unable to provide the county addresses in a
10 timely manner, the addressing authority shall consider
11 assigning the authority to assign addresses to the county.
12 The county and existing addressing authority shall develop
13 processes and agreements to assign and share address data.

14 (3) If a property is readdressed, the property shall be
15 assigned an address in compliance with NG911 standards.

16 § 5304.3. Next generation 911 call delivery.

17 (a) NG911 service provider.--The NG911 service provider
18 shall maintain and secure the NG911 system according to industry
19 standards and provide NG911 call delivery services as defined in
20 a contract with the agency. The NG911 service provider shall
21 support and monitor the NG911 system 24 hours per day, 7 days
22 per week, 365 days per yer using a network operations center and
23 a security operations center to support the operations and
24 security of the NG911 system.

25 (b) Use of State ESInet.--The primary use of the State
26 ESInet shall be for NG911 call delivery services. Only public
27 safety agencies and their service providers and vendors may be
28 connected directly to the ESInet.

29 (c) Support of ancillary services.--The State ESInet shall
30 be designed to also support ancillary services related to public

1 safety. NG911 service enhancements for ancillary services shall
2 be requested, evaluated, planned and coordinated using the
3 methods and procedures defined by the agency to promote
4 operating and enhancing the NG911 system in a planned,
5 coordinated and financially sustainable manner.

6 Section 5. Sections 5305, 5306.1(c)(1)(iii), (e), (f) and
7 (h) and 5306.2(a) introductory paragraph of Title 35 are amended
8 to read:

9 § 5305. 911 system plan.

10 (a) Minimum standards.--Upon the agreement of a county to
11 establish a 911 system as a regional or single county PSAP, a
12 plan shall be adopted that meets at least the standards
13 promulgated by the agency. The county may obtain technical
14 assistance from the agency in formulating its plan. Each 911
15 system plan shall be designed to meet the individual
16 circumstances of each community and public agency participating
17 in the 911 system. The plan shall consider efficiencies to be
18 achieved from regionalization and consolidation and [may] shall
19 include consideration of and implementation plans for next
20 generation 911 technology.

21 (b) Board review.--

22 (1) The board [shall] may review each 911 system plan
23 for completeness and may recommend the approval or
24 disapproval of the plan to the agency.

25 (2) If the 911 system plan is recommended for
26 disapproval by the board, the agency shall explain the
27 deficiencies that caused the recommendation and may return
28 the plan.

29 (c) Regional systems.--Nothing in this chapter shall be
30 construed to prohibit the formation of multijurisdictional or

1 regional 911 systems.

2 Section 6. Section 5306.1(c)(1)(iii), (e), (f) and (h) of
3 Title 35 are amended and subsection (d) is amended by adding a
4 paragraph to read:

5 § 5306.1. Fund.

6 * * *

7 (c) Use.--

8 (1) The money in the fund shall be used only for
9 reasonably necessary costs that enhance, operate or maintain
10 a 911 system in this Commonwealth in accordance with the
11 Statewide 911 plan established by the agency. For the
12 purposes of this paragraph, reasonably necessary costs shall
13 be determined by the agency, in consultation with the board,
14 consistent with the following:

15 * * *

16 [(iii) Notwithstanding any guidelines provided by
17 the agency, use of the fund by a 911 system or the agency
18 to establish, enhance, operate or maintain Statewide
19 interconnectivity of 911 systems or to establish a
20 capital or operating reserve consistent with a 911 system
21 plan shall be deemed reasonably necessary.]

22 * * *

23 (e) Distribution formula considerations.--

24 (1) The distribution formula established by the agency
25 under subsection (d) shall fairly and proportionately reflect
26 911 system needs.

27 [(2) The initial distribution formula shall be
28 established and implemented by the agency, in consultation
29 with the board, no later than 18 months following the
30 effective date of this section.]

1 (3) The distribution formula shall be reviewed every two
2 years and may be adjusted annually.

3 (4) In developing and evaluating the distribution
4 formula, the agency, in consultation with the board, shall
5 consider and may include the following factors that permit
6 the formula to reflect 911 system needs:

7 (i) Base level costs common to all 911 systems.

8 (ii) Population and population density.

9 (iii) Call volume, including definition of what
10 constitutes a call as published by the agency.

11 (iv) Extenuating factors such as topography,
12 concentrated exposure such as transit or industrial
13 facilities, or cyclical exposures such as high-attendance
14 public events.

15 (5) In development of the distribution formula, the
16 agency, in consultation with the board, shall consider the
17 911 system's average reported allowable 911 system costs for
18 the five years immediately preceding the effective date of
19 this section.

20 (6) Notwithstanding the provisions of paragraph (5),
21 the] (7) The distribution formula shall be reviewed at the
22 discretion of the board but no more than once within a four-
23 year period. The board shall establish goals and objectives
24 prior to a formula review and may recommend factors to
25 consider during a formula review.

26 (8) The total annual disbursement from the fund to any
27 one 911 system may not exceed the actual annual costs to
28 enhance, operate or maintain that 911 system in accordance
29 with the Statewide 911 system plan. Actual costs may include
30 amortization or depreciation of allowable capital costs of

1 the 911 system as determined using generally accepted
2 accounting principles and approved plan allocations to
3 capital and operating reserves, if approved by the agency.

4 [(f) Interim distribution formula.--Commencing on the
5 effective date of this subsection, until the board develops and
6 the agency implements a distribution formula under subsection
7 (e), the money available under subsection (d) (1) and (3) shall
8 be distributed to each 911 system as follows:

9 (1) A share equivalent to 106% times the respective 911
10 system's average of local exchange telephone carriers
11 surcharge collections under section 5305 (relating to 911
12 system plan) for the five years immediately preceding the
13 effective date of this section.

14 (2) A share equivalent to 106% times the respective 911
15 system's average of VoIP provider's surcharge collections
16 under section 5307 for the five years immediately preceding
17 the effective date of this section.

18 (3) The remaining amount distributed to each 911 system
19 shall be based on the ratio that its average reported
20 allowable 911 system costs for the five years immediately
21 preceding the effective date of this paragraph bear to the
22 average reported allowable 911 system costs for all 911
23 systems for the five years immediately preceding the
24 effective date of this paragraph.]

25 * * *

26 [(h) County or city action required.--A county or city of
27 the third class shall not be eligible to receive funds under
28 this section unless the governing body of the county or city
29 adopts a resolution or ordinance authorizing acceptance of the
30 funds. The county or city shall provide public notice of the

1 intent to adopt the resolution or ordinance. A copy of the
2 resolution or ordinance shall be provided to the agency.]

3 * * *

4 § 5306.2. Uniform 911 surcharge.

5 (a) Surcharge imposed.--Each subscriber or consumer shall
6 pay a surcharge of [~~\$1.65~~] \$1.97 for each 911 communications
7 service or prepaid wireless device for which that subscriber or
8 consumer is billed by a provider or seller as provided for under
9 this chapter. The surcharge shall be collected apart from and in
10 addition to a fee levied by the provider or seller, in whole or
11 in part, for the provision of 911 services. The surcharge shall
12 be subject to the following:

13 * * *

14 Section 6. Section 5307(b)(7) of Title 35 is amended and the
15 section is amended by adding subsections to read:

16 § 5307. Payment, collection and remittance of surcharge by
17 providers of 911 communications services.

18 * * *

19 (a.1) Department of Revenue.--The Department of Revenue
20 shall:

21 (1) Request information and require audits or reports
22 relating to program compliance from any entity remitting the
23 surcharge to the fund.

24 (2) Execute an agreement with the agency to memorialize
25 their respective duties and responsibilities in support of
26 audits or reports relating to program compliance.

27 (b) Multiline telephone systems.--In the case of Centrex or
28 similar multiline telephone system subscribers, except PBX
29 subscribers, the following multipliers shall be applied to
30 determine the rate of the surcharge for each subscriber:

1 * * *

2 (7) Each VoIP provider shall collect the uniform 911
3 surcharge for the number of VoIP service lines, Session
4 Initiation Protocol (SIP) access lines or access line
5 equivalents for which the VoIP provider has enabled the
6 capacity for simultaneous outbound calls regardless of actual
7 usage.

8 * * *

9 (b.1) Certain service providers.--A service provider using
10 one or more facilities with multiple calling capabilities to
11 serve a single end-user customer location within this
12 Commonwealth that either cannot determine the actual number of
13 local exchange access lines or equivalent local exchange access
14 lines being served by such facilities, or if the access lines
15 are not within this Commonwealth, shall assess the surcharge
16 under this section.

17 * * *

18 Section 7. Section 5307.1(a)(10) of Title 35 is amended to
19 read:

20 § 5307.1. Payment, collection and remittance of surcharge by
21 sellers of prepaid wireless telecommunications
22 service.

23 (a) Surcharge.--The following apply:

24 * * *

25 (10) Each seller that remits the surcharge shall certify
26 the accuracy of the remittance annually using the procedures
27 and forms provided by the [agency] department.

28 * * *

29 Section 8. Section 5309(a) of Title 35 is amended and the
30 section is amended by adding a subsection to read:

1 § 5309. Telephone records.

2 [(a) Access.--A telephone service supplier shall provide
3 customer telephone numbers, names and service addresses to PSAPs
4 when requested by them for use in responding to 911 calls and
5 for the synchronization of required geographic information
6 system (GIS) database layers for geospatial call routing with
7 the master street address guide, the ALI data and site and
8 structure locations and, when required, to providers of
9 emergency notification services and emergency support services,
10 solely for the purposes of delivering or assisting in the
11 delivery of emergency notification services and emergency
12 support services. A wireless provider shall provide the
13 telephone number and geographical location of the wireless
14 device, as required under the FCC E-911 Order, to PSAPs when
15 requested by them for use in responding to 911 calls. Customer
16 telephone numbers, names and service addresses, and telephone
17 numbers and geographical locations of wireless devices, shall
18 remain the property of the disclosing service supplier. The
19 total cost of the 911 system shall include expenses to reimburse
20 telephone service suppliers for providing and maintaining 911
21 information. A telephone service supplier shall not be
22 reimbursed directly from the fund for providing and maintaining
23 911 information. This information shall be used only in
24 providing emergency response services to a 911 call,
25 synchronizing master street address guide, ALI and GIS data sets
26 or for purposes of delivering or assisting in the delivery of
27 emergency notification services or emergency support services. A
28 person who uses or discloses ANI/ALI database information for
29 purposes other than providing emergency response services to a
30 911 call, delivering or assisting in the delivery of emergency

1 notification services commits a misdemeanor of the third
2 degree.]

3 (a.1) Access.--

4 (1) A 911 service provider with the ability to originate
5 a 911 call shall provide customer telephone numbers, names,
6 service addresses and geolocation information, where
7 applicable, according to Federal regulations to PSAPs for use
8 in responding to 911 calls.

9 (2) 911 service providers shall synchronize their
10 customer 911 information with the PSAPs' GIS database layers
11 used for geospatial call routing or with the master street
12 address guide, whichever is applicable, at the time. If a 911
13 service provider's service location does not match the PSAPs'
14 GIS data for address validation, the 911 service provider
15 must provide the PSAP and appropriate addressing authority
16 any known information about the service location.

17 (3) A wireless provider shall provide the telephone
18 number and geographical location of the wireless device, as
19 required under the FCC E-911 Order, 47 CFR (relating to
20 telecommunication) and any other applicable Federal law, to
21 PSAPs for use in responding to 911 calls. Customer telephone
22 numbers, names and service addresses and geographical
23 locations of wireless devices shall remain the property of
24 the disclosing wireless provider.

25 (4) Wireless provider ALI data shall be provided to the
26 PSAPs' selected 911 service provider for purposes of 911 call
27 routing and delivery along with ALI delivery. ALI may be
28 provided directly to the 911 service provider via routine
29 uploads or via a third-party database provider interfaced
30 with the 911 service providers' ALI database. ALI data shall

1 be maintained by the wireless provider and made available to
2 the 911 service provider as required to ensure accurate ALI
3 information is provided to the PSAP.

4 (5) ALI data shall be provided to 911 service providers
5 and emergency support services, solely for the purposes of
6 delivering or assisting in the delivery of emergency
7 notification services and emergency support services.

8 (6) The total cost of the 911 system shall include
9 expenses to reimburse telephone service suppliers for
10 providing and maintaining 911 information.

11 (7) A telephone service supplier shall not be reimbursed
12 directly from the fund for providing and maintaining 911
13 information. This information shall be used only in providing
14 emergency response services to a 911 call, synchronizing
15 master street address guide, ALI and GIS data sets or for
16 purposes of delivering or assisting in the delivery of
17 emergency notification services or emergency support
18 services. A person who uses or discloses ANI and ALI database
19 information for purposes other than providing emergency
20 response services to a 911 call, delivering or assisting in
21 the delivery of emergency notification services, commits a
22 misdemeanor of the third degree.

23 * * *

24 Section 9. Sections 5310(a), 5311.1(a) and (c)(2) and
25 5311.15 of Title 35 are amended to read:

26 § 5310. Penalty.

27 (a) Communications with 911 systems.--A person who
28 intentionally [**calls**] contacts the 911 emergency number for
29 other than emergency purposes commits a misdemeanor of the
30 [**third**] second degree. A second offense under this subsection

1 constitutes a misdemeanor of the first degree. A third or
2 subsequent offense under this subsection constitutes a felony of
3 the third degree.

4 * * *

5 § 5311.1. Immunity.

6 (a) Local government.--A 911 system [or a wireless E-911
7 system] run by county and local governments shall be a local
8 agency which shall enjoy local governmental immunity as provided
9 under 42 Pa.C.S. Ch. 85 Subch. C (relating to actions against
10 local parties).

11 * * *

12 (c) Applicability.--The immunity under subsection (b) shall
13 apply to the following:

14 * * *

15 (2) The release to the Federal Communications
16 Commission, the [public utility commission] Pennsylvania
17 Public Utility Commission, the board or any Federal or
18 Commonwealth agency with the authority to regulate the
19 provision of telecommunications services of telephone company
20 information specified in this section that is not already
21 part of public records, including information regarding the
22 number of liens served by an individual company, except for
23 nonpublic information regarding the company's individual
24 customer names, addresses and telephone numbers.

25 * * *

26 § 5311.15. [Shared residential MLTS service.]

27 Operators of shared residential MLTS serving residential
28 customers shall ensure that a telecommunications system, at
29 least six months after the effective date of this section, is
30 connected to the public switched telephone network such that

1 calls to 911 result in one distinctive ANI and ALI for each
2 living unit.] MLTS service.

3 A person engaged in the business of installing, managing or
4 operating multiline telephone systems in this Commonwealth shall
5 meet the requirements provided in 47 CFR 9.15 (relating to
6 applicability), 9.16 (relating to general obligations-direct 911
7 dialing, notification, and dispatchable location) and 9.17
8 (relating to enforcement, compliance date, State law) and any
9 other applicable Federal law. The requirements apply to any
10 multiline telephone system that is manufactured, imported,
11 offered for first sale or lease, first sold or leased or
12 installed after February 16, 2020. The agency shall create a
13 mechanism for members of the public to report violations of this
14 section and shall forward reports the agency receives to the
15 appropriate Federal authorities.

16 Section 10. Sections 5311.16, 5311.17, 5311.18 and 5311.19
17 of Title 35 are repealed:

18 [§ 5311.16. Business MLTS.

19 (a) General rule.--For an MLTS serving business locations at
20 least six months after the effective date of this section, the
21 MLTS operator shall deliver the 911 call with an ELIN which
22 shall result in one of the following:

23 (1) An ERL which provides, at a minimum, the building
24 and floor location of a caller.

25 (2) An ability to direct response through an alternative
26 and adequate means of signaling by the establishment of a
27 private 911 emergency answering point.

28 (b) Reasonable effort.--The MLTS manager must make a
29 reasonable effort to ensure that 911 callers are aware of the
30 proper procedures for calling for emergency assistance.

1 (c) Exceptions.--Workspaces with less than 7,000 square feet
2 on a single level, and located on a single contiguous property,
3 are not required to provide more than one ERL, and key telephone
4 systems are not required to provide more than one ERL.

5 § 5311.17. Shared communications services.

6 Providers of shared communications services installed at
7 least six months after the effective date of this section shall
8 assure that the MLTS is connected to the public switched
9 telephone network such that calls to 911 from any telephone
10 result in ALI for each respective ERL of each entity sharing the
11 telecommunications services.

12 § 5311.18. Temporary residence.

13 Businesses providing MLTS service to a temporary residence
14 shall permit the dialing of 911, and the MLTS operator shall
15 ensure that the MLTS is connected to the public switched
16 telephone network. If PBX or other private switch ALI records
17 are not provided for each individual station, the MLTS operator
18 of the temporary residence shall provide specific location
19 information for the caller to the PSAP.

20 § 5311.19. Local notification.

21 In addition to any other requirement of this chapter,
22 applicable to its type of MLTS service, an MLTS operator:

23 (1) Shall implement local notifications if operating an
24 MLTS service installed after the effective date of this
25 section.

26 (2) May implement local notification if operating an
27 MLTS service installed before the effective date of this
28 section.]

29 Section 11. Section 5311.20 of Title 35 is amended to read:

30 § 5311.20. ALI database maintenance.

1 If applicable, MLTS operators must arrange to update the ALI
2 database with an appropriate master street address guide valid
3 address and call-back information for each MLTS telephone, such
4 that the location information specifies the [ERL] dispatchable
5 location of the caller. These updates must be downloaded or
6 otherwise made available to the ALI database provider as soon as
7 practicable for a new MLTS installation, or within one business
8 day of record completion of the actual changes for MLTS
9 installed before the effective date of this section. The
10 information is subject to all Federal and State privacy and
11 confidentiality laws. The MLTS operator shall audit accuracy of
12 information contained in the ALI database at least once
13 annually.

14 Section 12. Section 5311.22 of Title 35 is repealed:

15 [§ 5311.22. Dialing instructions.]

16 An owner or operator of a multiline telephone system
17 installed after the effective date of this section shall ensure
18 that the system is connected to the public switched telephone
19 network in such a manner that when a user dials 911, the
20 emergency call connects directly to the appropriate 911 system:

21 (1) without first dialing any numbers or set of numbers;

22 and

23 (2) without being intercepted by a switchboard operator,
24 attendant or other designated onsite individual.]

25 Section 13. Sections 5311.23, 5398 and 5399 of Title 35 are
26 amended to read:

27 § 5311.23. MLTS signaling.

28 An MLTS shall support 911 calling by using any generally
29 accepted industry standard signaling protocol designed to
30 produce an automatic display of caller information on the video

1 terminal of the PSAP call taker unless the MLTS operator is
2 exempt [or a waiver has been granted] due to an MLTS that was
3 installed prior to February 16, 2020.

4 § 5398. Termination.

5 This chapter shall expire January 31, [2024] 2029.

6 § 5399. Prohibited release of information.

7 (a) Prohibition.--Notwithstanding any other law, in a
8 response to a request under the act of February 14, 2008 (P.L.6,
9 No.3), known as the Right-to-Know Law, a PSAP may not release
10 individual identifying information of an individual [calling]
11 contacting a 911 center, victim or witness. Information
12 includes, but is not limited to, voice, video and data provided
13 through the use of next generation 911 technology or other forms
14 of communication.

15 (b) Applicability.--This section shall not apply if the PSAP
16 or a court determines that the public interest in disclosure
17 outweighs the interest in nondisclosure.

18 (c) Definition.--As used in this section, the term
19 "identifying information" includes, but is not limited to, name,
20 telephone number [and], home address[.], voice, appearance or
21 other data provided in 911 communications service that can be
22 used to identify an individual. The term does not include:

23 (1) The location of the incident, unless the location is
24 the caller's, victim's or witness's home address or the
25 disclosure of the location would compromise the identity of
26 the caller, victim or witness.

27 (2) The street block identifier, the cross street or the
28 mile marker nearest the scene of the incident, which shall be
29 public.

30 Section 14. This act shall take effect as follows:

1 (1) The addition of 35 Pa.C.S. § 5304.2 shall take
2 effect in 180 days.

3 (2) The amendment of 35 Pa.C.S. § 5306.2(a) shall take
4 effect in 60 days.

5 (3) The remainder of this act shall take effect
6 immediately.