

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, WEBSTER, KHAN, SANCHEZ, SAPPEY, DALEY, SCOTT, HOWARD, GREEN, CEPEDA-FREYTIZ AND CERRATO, NOVEMBER 15, 2023

AS REPORTED FROM COMMITTEE ON VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, HOUSE OF REPRESENTATIVES, AS AMENDED, MARCH 18, 2024

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," "NEXT <--

1 GENERATION 911 SERVICE," "NEXT GENERATION 911 TECHNOLOGY,"
2 "private 911 emergency answering point," "shared residential
3 MLTS service," "shared telecommunications services" and
4 "temporary facility" in section 5302 of Title 35 of the
5 Pennsylvania Consolidated Statutes are amended and the section
6 is amended by adding definitions to read:

7 § 5302. Definitions.

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

11 * * *

12 "911 communications service." As follows:

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

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

29 "911 service provider." An entity that provides all or parts
30 of the network, software applications, databases, [CPE] CHE

1 components and operations and management procedures required to
2 support a 911 system.

3 * * *

4 "Access line." The physical voice-grade telecommunications
5 connection or the cable or broadband transport facilities, or
6 any combination of these facilities owned, controlled or relied
7 upon by a 911 service provider between an end-user customer's
8 premises and a 911 service provider's network that, when the
9 digits 911 are dialed, provides the end-user customer access to
10 a PSAP through a permissible interconnection to the dedicated
11 911 network.

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

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

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

22 * * *

23 ["ALI." Automatic location information.

24 "ANI." Automatic number identification.

25 "Automatic location information.]" "Automatic location

26 information" or "ALI." The delivery or receipt of location
27 information, including, but not limited to, the street address
28 or geographic location of a telecommunication device, as
29 specified in the FCC 911 Order, being used to communicate with a
30 911 system.

1 ["Automatic number identification."] "Automatic number
2 identification" or "ANI." The delivery or receipt of a
3 telephone number assigned to a telecommunication device being
4 used to communicate with a 911 system.

5 * * *

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

10 * * *

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

13 (1) Handles all communication from the caller.

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

16 "CALL PROCESSING RECORD." A RECORD STORED IN A NEXT <--
17 GENERATION 911 TECHNOLOGY DATABASE THAT DERIVED FROM THE PSAP
18 CALL HANDLING EQUIPMENT AND NEXT GENERATION 911 TECHNOLOGY,
19 WHICH MAY INCLUDE TRANSACTIONAL CALL DETAILS, CALLER PERSONAL
20 IDENTIFIABLE INFORMATION OR CALLER LOCATION DATA ASSOCIATED WITH
21 A REQUEST FOR ASSISTANCE.

22 * * *

23 "Dispatchable location." A location delivered to the PSAP
24 with a 911 call that consists of the validated street address of
25 the calling party and additional information such as suite,
26 apartment or similar information necessary to adequately
27 identify the location of the calling party, except for
28 commercial mobile radio service providers, which shall convey
29 the location information required by 47 CFR Pt. 9 Subpt. C
30 (relating to commercial mobile radio service).

1 ["Emergency location identification number" or "ELIN." A
2 valid North American Numbering Plan format telephone number
3 assigned to a multiline telephone system operator by the
4 appropriate authority which is used to route the call to a
5 public safety answering point and is used to retrieve the
6 automatic location information for the public safety answering
7 point. The ELIN may be the same number as the automatic number
8 identification. The North American Numbering Plan number may in
9 some cases not be a dialable number.]

10 * * *

11 "Emergency Services Internet Protocol network" or "ESInet."
12 A robust, redundant dedicated Internet Protocol-based private
13 network that serves as the foundation of next generation 911
14 services and is utilized to support the ingress, location,
15 routing and delivery of 911 calls, data and video to PSAPs.

16 * * *

17 "Geographic information systems" or "GIS." Computer-based
18 tools used in 911 services to identify geographic locations and
19 boundaries.

20 * * *

21 "Network operations center." A centralized location where
22 the performance and health of a network or system is
23 continuously monitored.

24 ["NEXT GENERATION 911 SERVICE."] "NEXT GENERATION 911 <--
25 SERVICE" OR "NG911 SERVICE." 911 SERVICE USING, IN WHOLE OR IN
26 PART, NEXT GENERATION 911 TECHNOLOGY.

27 ["NEXT GENERATION 911 TECHNOLOGY."] "NEXT GENERATION 911
28 TECHNOLOGY" OR "NG911 TECHNOLOGY." EQUIPMENT, PRODUCTS OR
29 SERVICES THAT ENABLE A PSAP TO RECEIVE CALLS FOR EMERGENCY
30 ASSISTANCE BY VOICE, TEXT, VIDEO, INTERNET PROTOCOL OR OTHER

1 TECHNOLOGY AUTHORIZED BY FEDERAL LAW, REGULATION OR INDUSTRY
2 STANDARD. THE TERM INCLUDES ANY NEW TECHNOLOGY WITH THE SAME OR
3 SIMILAR FUNCTIONALITY.

4 * * *

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

7 (1) Provides functional alternative and adequate means
8 of signaling and directing responses to emergencies as an
9 adjunct to public safety responses.

10 (2) Trains individuals intercepting calls for assistance
11 in accordance with applicable local emergency
12 telecommunications requirements.

13 (3) Provides incident reporting to the public safety
14 emergency response centers in accordance with State and local
15 requirements.]

16 * * *

17 "Regional 911 system." A PSAP that combines two or more
18 primary PSAPs into a single physically combined primary PSAP
19 with an integrated management structure that serves the same
20 population previously served by independent primary PSAPs.

21 * * *

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

25 * * *

26 ["Shared residential MLTS service." The use of a multiline
27 telephone system to provide service to residential facilities
28 even if the service is not delineated for purposes of billing.
29 For purposes of this definition, residential facilities shall be
30 liberally construed to mean single family and multifamily

1 facilities.

2 "Shared telecommunications services." The provision of
3 telecommunications and information management services and
4 equipment within a user group located in discrete private
5 premises in building complexes, campuses or high-rise buildings
6 by a commercial shared services provider or by a user
7 association through privately owned subscriber premises
8 equipment and associated data processing and information
9 management services, including the provision of connections to
10 the facilities of a local exchange carrier and to interexchange
11 carriers.]

12 * * *

13 ["Temporary facility." A dormitory, hotel, motel, health
14 care facility, long-term care facility, nursing home or other
15 facility as determined by the agency that provides temporary
16 occupancy to temporary residents and that is served by a
17 multiline telephone system.]

18 * * *

19 "VOIP service line." This term has the same meaning as
20 "access line."

21 * * *

22 Section 2. Section 5303(a)(12) and (c)(4) and (5) of Title
23 35 are amended and subsection (a) is amended by adding
24 paragraphs to read:

25 § 5303. Telecommunications management.

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

28 * * *

29 (12) To require a [biennial] triennial performance audit
30 of each 911 system's use of money from the fund, including

1 allocations to capital or operating reserves.

2 * * *

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

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

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

11 * * *

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

14 * * *

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

18 (5) To promote [the] regional sharing and use of
19 technology.

20 * * *

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

24 § 5304. Counties.

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

27 * * *

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

30 (8) To cooperate with the Pennsylvania State Police.

1 Subject to subparagraphs (i) through (iii), a county that
2 utilizes ANI/ALI database services shall, upon request of the
3 Commissioner of the Pennsylvania State Police or the designee
4 of the commissioner, provide authority to access all ANI/ALI
5 database information relating to 911 calls for emergency
6 services, whether the database is held by the county or by a
7 commercial entity, following the established procedures of
8 the database owner. The following shall apply:

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

12 * * *

13 (B) all means of access must be approved by the
14 county, PSAP, the agency and the Pennsylvania State
15 Police before the county is required to authorize or
16 provide the access. In the event of a dispute between
17 the Pennsylvania State Police and a county or PSAP
18 regarding approval by the county and PSAP, the
19 dispute shall be mediated by the Office of
20 Information Technology of the Commonwealth's Office
21 of Administration. The Office of Information
22 Technology may bring in a Commonwealth mediator from
23 the Office of General Counsel to provide assistance
24 in resolving the dispute.

25 * * *

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

30 * * *

1 (i.1) Counties must develop, publish, maintain and
2 provide the required GIS layers that meet the
3 Pennsylvania NG911 GIS Data Model published by the
4 agency, including developing or cooperating with the
5 applicable addressing authorities to develop site and
6 structure address point data to support NG911 call
7 delivery.

8 * * *

9 (11) To utilize the next generation 911 call delivery
10 services procured by the agency and cooperate with the
11 agency, next generation 911 service provider and other
12 applicable entities to help identify the cause of next
13 generation 911 service impacting issues and responsibility
14 for resolution until those items are identified.

15 (12) To maintain compliance with cybersecurity standards
16 published by the agency.

17 Section 4. Title 35 is amended by adding sections to read:
18 § 5304.2. Addressing authorities.

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

21 (1) To issue new addresses in compliance with next
22 generation 911 standards.

23 (2) To provide new addresses to counties in a timely
24 manner to assist with provisioning new addresses into the
25 next generation 911 system and to assist first responders
26 with locating a site and structure. If an addressing
27 authority is unable to provide the county addresses in a
28 timely manner, the addressing authority shall consider
29 assigning the authority to assign addresses to the county.

30 The county and existing addressing authority shall develop

1 processes and agreements to assign and share address data.

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

4 § 5304.3. Next generation 911 call delivery.

5 (a) NG911 service provider.--The NG911 service provider
6 shall maintain and secure the NG911 system according to industry
7 standards and provide NG911 call delivery services as defined in
8 a contract with the agency. The NG911 service provider shall
9 support and monitor the NG911 system 24 hours per day, 7 days
10 per week, 365 days per ~~year~~ YEAR using a network operations <--
11 center and a security operations center to support the
12 operations and security of the NG911 system.

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

17 (c) Support of ancillary services.--The State ESInet shall
18 be designed to also support ancillary services related to public
19 safety. NG911 service enhancements for ancillary services shall
20 be requested, evaluated, planned and coordinated using the
21 methods and procedures defined by the agency to promote
22 operating and enhancing the NG911 system in a planned,
23 coordinated and financially sustainable manner.

24 (D) COMMUNICATION SERVICE PROVIDER.--A COMMUNICATION SERVICE <--
25 PROVIDER SHALL ALSO NOTIFY THE AGENCY AND THE NG911 SERVICE
26 PROVIDER WHEN NOTIFYING 911 SYSTEMS OF REPORTABLE SERVICE
27 OUTAGES IN THE MANNER SPECIFIED BY THE FEDERAL COMMUNICATIONS
28 COMMISSION OR PENNSYLVANIA PUBLIC UTILITY COMMISSION.

29 Section 5. Sections 5305 and 5306.1(c)(1)(iii), (e), (f) and
30 (h) of Title 35 are amended to read:

1 § 5305. 911 system plan.

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

13 (b) Board review.--

14 (1) The board [~~shall~~] may review each 911 system plan
15 for completeness and may recommend the approval or
16 disapproval of the plan to the agency.

17 (2) If the 911 system plan is recommended for
18 disapproval by the board, the agency shall explain the
19 deficiencies that caused the recommendation and may return
20 the plan.

21 (c) Regional systems.--Nothing in this chapter shall be
22 construed to prohibit the formation of multijurisdictional or
23 regional 911 systems.

24 ~~Section 6. Section 5306.1(c)(1)(iii), (e), (f) and (h) of~~ <--
25 ~~Title 35 are amended and subsection (d) is amended by adding a~~
26 ~~paragraph to read:~~

27 § 5306.1. Fund.

28 * * *

29 (c) Use.--

30 (1) The money in the fund shall be used only for

1 reasonably necessary costs that enhance, operate or maintain
2 a 911 system in this Commonwealth in accordance with the
3 Statewide 911 plan established by the agency. For the
4 purposes of this paragraph, reasonably necessary costs shall
5 be determined by the agency, in consultation with the board,
6 consistent with the following:

7 * * *

8 [(iii) Notwithstanding any guidelines provided by
9 the agency, use of the fund by a 911 system or the agency
10 to establish, enhance, operate or maintain Statewide
11 interconnectivity of 911 systems or to establish a
12 capital or operating reserve consistent with a 911 system
13 plan shall be deemed reasonably necessary.]

14 * * *

15 (e) Distribution formula considerations.--

16 (1) The distribution formula established by the agency
17 under subsection (d) shall fairly and proportionately reflect
18 911 system needs.

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

23 [(3) The distribution formula shall be reviewed every two
24 years and may be adjusted annually.]

25 [(4) In developing and evaluating the distribution
26 formula, the agency, in consultation with the board, shall
27 consider and may include the following factors that permit
28 the formula to reflect 911 system needs:

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

30 (ii) Population and population density.

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

3 (iv) Extenuating factors such as topography,
4 concentrated exposure such as transit or industrial
5 facilities, or cyclical exposures such as high-attendance
6 public events.

7 (5) In development of the distribution formula, the
8 agency, in consultation with the board, shall consider the
9 911 system's average reported allowable 911 system costs for
10 the five years immediately preceding the effective date of
11 this section.

12 (6) Notwithstanding the provisions of paragraph (5),
13 the] (7) The distribution formula shall be reviewed at the
14 discretion of the board but no more than once within a four-
15 year period. The board shall establish goals and objectives
16 prior to a formula review and may recommend factors to
17 consider during a formula review.

18 (8) The total annual disbursement from the fund to any
19 one 911 system may not exceed the actual annual costs to
20 enhance, operate or maintain that 911 system in accordance
21 with the Statewide 911 system plan. Actual costs may include
22 amortization or depreciation of allowable capital costs of
23 the 911 system as determined using generally accepted
24 accounting principles and approved plan allocations to
25 capital and operating reserves, if approved by the agency.

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

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

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

10 (3) The remaining amount distributed to each 911 system
11 shall be based on the ratio that its average reported
12 allowable 911 system costs for the five years immediately
13 preceding the effective date of this paragraph bear to the
14 average reported allowable 911 system costs for all 911
15 systems for the five years immediately preceding the
16 effective date of this paragraph.]

17 * * *

18 [(h) County or city action required.--A county or city of
19 the third class shall not be eligible to receive funds under
20 this section unless the governing body of the county or city
21 adopts a resolution or ordinance authorizing acceptance of the
22 funds. The county or city shall provide public notice of the
23 intent to adopt the resolution or ordinance. A copy of the
24 resolution or ordinance shall be provided to the agency.]

25 * * *

26 ~~§ 5306.2. Uniform 911 surcharge.~~

<--

27 ~~(a) Surcharge imposed.--Each subscriber or consumer shall~~
28 ~~pay a surcharge of [\$1.65] \$1.97 for each 911 communications~~
29 ~~service or prepaid wireless device for which that subscriber or~~
30 ~~consumer is billed by a provider or seller as provided for under~~

1 ~~this chapter. The surcharge shall be collected apart from and in~~
2 ~~addition to a fee levied by the provider or seller, in whole or~~
3 ~~in part, for the provision of 911 services. The surcharge shall~~
4 ~~be subject to the following:~~

5 * * *

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

8 § 5307. Payment, collection and remittance of surcharge by
9 providers of 911 communications services.

10 * * *

11 (a.1) Department of Revenue.--The Department of Revenue
12 shall:

13 (1) Request information and require audits or reports
14 relating to program compliance from any entity remitting the
15 surcharge to the fund.

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

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

23 * * *

24 (7) Each VoIP provider shall collect the uniform 911
25 surcharge for the number of VoIP service lines, Session
26 Initiation Protocol (SIP) access lines or access line
27 equivalents for which the VoIP provider has enabled the
28 capacity for simultaneous outbound calls regardless of actual
29 usage.

30 * * *

1 (b.1) Certain service providers.--A service provider using
2 one or more facilities with multiple calling capabilities to
3 serve a single end-user customer location within this
4 Commonwealth that either cannot determine the actual number of
5 local exchange access lines or equivalent local exchange access
6 lines being served by such facilities, or if the access lines
7 are not within this Commonwealth, shall assess the surcharge
8 under this section.

9 * * *

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

12 § 5307.1. Payment, collection and remittance of surcharge by
13 sellers of prepaid wireless telecommunications
14 service.

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

16 * * *

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

20 * * *

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

23 § 5309. Telephone records.

24 [(a) Access.--A telephone service supplier shall provide
25 customer telephone numbers, names and service addresses to PSAPs
26 when requested by them for use in responding to 911 calls and
27 for the synchronization of required geographic information
28 system (GIS) database layers for geospatial call routing with
29 the master street address guide, the ALI data and site and
30 structure locations and, when required, to providers of

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

25 (a.1) Access.--

26 (1) A 911 service provider with the ability to originate
27 a 911 call shall provide customer telephone numbers, names,
28 service addresses and geolocation information, where
29 applicable, according to Federal regulations to PSAPs for use
30 in responding to 911 calls.

1 (2) 911 service providers shall synchronize their
2 customer 911 information with the PSAPs' GIS database layers
3 used for geospatial call routing or with the master street
4 address guide, whichever is applicable, at the time. BY <--
5 UTILIZING THE ALI DATABASE MANAGEMENT AND DISCREPANCY
6 REPORTING SYSTEMS PROVIDED BY THE NG911 SERVICE PROVIDER. If
7 a 911 service provider's service location does not match the
8 PSAPs' GIS data for address validation, the 911 service
9 provider must provide the PSAP and appropriate addressing
10 authority any known information about the service location.

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

19 (4) Wireless provider ALI data shall be provided to the
20 PSAPs' selected 911 service provider for purposes of 911 call
21 routing and delivery along with ALI delivery. ALI may be
22 provided directly to the 911 service provider via routine
23 uploads or via a third-party database provider interfaced
24 with the 911 service providers' ALI database. ALI data shall
25 be maintained by the wireless provider and made available to
26 the 911 service provider as required to ensure accurate ALI
27 information is provided to the PSAP.

28 (5) ALI data shall be provided to 911 service providers
29 and emergency support services, solely for the purposes of
30 delivering or assisting in the delivery of emergency

1 notification services and emergency support services.

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

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

17 * * *

18 Section 9. Sections 5310(a), 5311.1(a) and (c)(2) and
19 5311.15 of Title 35 are amended to read:

20 § 5310. Penalty.

21 (a) Communications with 911 systems.--A person who
22 intentionally [calls] contacts the 911 emergency number for
23 other than emergency purposes commits a misdemeanor of the
24 [third] second degree. A second offense under this subsection
25 constitutes a misdemeanor of the first degree. A third or
26 subsequent offense under this subsection constitutes a felony of
27 the third degree.

28 * * *

29 § 5311.1. Immunity.

30 (a) Local government.--A 911 system [or a wireless E-911

1 system] run by county and local governments shall be a local
2 agency which shall enjoy local governmental immunity as provided
3 under 42 Pa.C.S. Ch. 85 Subch. C (relating to actions against
4 local parties).

5 * * *

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

8 * * *

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

19 * * *

20 § 5311.15. [Shared residential MLTS service.

21 Operators of shared residential MLTS serving residential
22 customers shall ensure that a telecommunications system, at
23 least six months after the effective date of this section, is
24 connected to the public switched telephone network such that
25 calls to 911 result in one distinctive ANI and ALI for each
26 living unit.] MLTS service.

27 A person engaged in the business of installing, managing or
28 operating multiline telephone systems in this Commonwealth shall
29 meet the requirements provided in 47 CFR 9.15 (relating to
30 applicability), 9.16 (relating to general obligations-direct 911

1 dialing, notification, and dispatchable location) and 9.17
2 (relating to enforcement, compliance date, State law) and any
3 other applicable Federal law. The requirements apply to any
4 multiline telephone system that is manufactured, imported,
5 offered for first sale or lease, first sold or leased or
6 installed after February 16, 2020. The agency shall create a
7 mechanism for members of the public to report violations of this
8 section and shall forward reports the agency receives to the
9 appropriate Federal authorities.

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

12 [§ 5311.16. Business MLTS.

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

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

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

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

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

29 § 5311.17. Shared communications services.

30 Providers of shared communications services installed at

1 least six months after the effective date of this section shall
2 assure that the MLTS is connected to the public switched
3 telephone network such that calls to 911 from any telephone
4 result in ALI for each respective ERL of each entity sharing the
5 telecommunications services.

6 § 5311.18. Temporary residence.

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

14 § 5311.19. Local notification.

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

17 (1) Shall implement local notifications if operating an
18 MLTS service installed after the effective date of this
19 section.

20 (2) May implement local notification if operating an
21 MLTS service installed before the effective date of this
22 section.]

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

24 § 5311.20. ALI database maintenance.

25 If applicable, MLTS operators must arrange to update the ALI
26 database with an appropriate master street address guide valid
27 address and call-back information for each MLTS telephone, such
28 that the location information specifies the [ERL] dispatchable
29 location of the caller. These updates must be downloaded or
30 otherwise made available to the ALI database provider as soon as

1 practicable for a new MLTS installation, or within one business
2 day of record completion of the actual changes for MLTS
3 installed before the effective date of this section. The
4 information is subject to all Federal and State privacy and
5 confidentiality laws. The MLTS operator shall audit accuracy of
6 information contained in the ALI database at least once
7 annually.

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

9 [§ 5311.22. Dialing instructions.

10 An owner or operator of a multiline telephone system
11 installed after the effective date of this section shall ensure
12 that the system is connected to the public switched telephone
13 network in such a manner that when a user dials 911, the
14 emergency call connects directly to the appropriate 911 system:

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

16 and

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

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

21 § 5311.23. MLTS signaling.

22 An MLTS shall support 911 calling by using any generally
23 accepted industry standard signaling protocol designed to
24 produce an automatic display of caller information on the video
25 terminal of the PSAP call taker unless the MLTS operator is
26 exempt [or a waiver has been granted] due to an MLTS that was
27 installed prior to February 16, 2020.

28 § 5398. Termination.

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

30 § 5399. Prohibited release of information.

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

9 (A.1) CALL PROCESSING RECORDS.--A CALL PROCESSING RECORD <--
10 CREATED BY A PSAP SHALL BE CONFIDENTIAL, AND THE AGENCY MAY NOT
11 RELEASE THE CALL PROCESSING RECORD. THE AGENCY SHALL HAVE ACCESS
12 TO A CALL PROCESSING RECORD FOR TROUBLESHOOTING AND MONITORING
13 PERFORMANCE OF THE NEXT GENERATION 911 SERVICE OR PSAP. THE
14 AGENCY MAY ANALYZE THE DATA IN A CALL PROCESSING RECORD TO
15 ASSIST WITH EMERGENCY MANAGEMENT RESPONSE AND RECOVERY
16 OPERATIONS. AGGREGATED STATISTICAL REPORTS DETAILING NEXT
17 GENERATION 911 SERVICE OR PSAP USAGE AND PERFORMANCE SHALL NOT
18 BE CONFIDENTIAL. NOTHING IN THIS SECTION SHALL BE CONSTRUED TO
19 RESCIND THE DUTY OF A PSAP TO COMPLY WITH THE RIGHT-TO-KNOW LAW.

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

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

28 (1) The location of the incident, unless the location is
29 the caller's, victim's or witness's home address or the
30 disclosure of the location would compromise the identity of

1 the caller, victim or witness.

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

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

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

8 ~~(2) The amendment of 35 Pa.C.S. § 5306.2(a) shall take~~ <--
9 ~~effect in 60 days.~~

10 ~~(3)~~ (2) The remainder of this act shall take effect <--
11 immediately.