

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

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HOUSE DRH20144-MH-133 (03/26)

Short Title: 911 Fund Distribution.

(Public)

Sponsors: Representative Boles.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO CLARIFY AND AMEND THE PROCEDURES AND SCOPE OF EXPENSES
3 ELIGIBLE FOR 911 FUND DISTRIBUTIONS AND TO STUDY THE STRUCTURE,
4 OPERATIONS, AND FUNCTIONS OF THE 911 BOARD.

5 The General Assembly of North Carolina enacts:

6 SECTION 1. G.S. 62A-46 reads as rewritten:

7 "§ 62A-46. Fund distribution to PSAPs.

8 (a) Monthly Distribution. – The 911 Board must make monthly distributions to primary
9 PSAPs from the amount allocated to the 911 Fund for PSAPs. A PSAP is not eligible for a
10 distribution under this section unless it complies with the requirements of this Article, provides
11 enhanced 911 service, and received distributions from the 911 Board in the 2008-2009 fiscal
12 year. The Board may reduce, suspend, or terminate distributions under this subsection if a
13 PSAP does not comply with the requirements of this Article. The Board must comply with all
14 of the following:

15 ...

16 (4) Additional distributions. – In the first quarter of the Board's fiscal year, the
17 Board must determine whether payments to PSAPs during the preceding
18 fiscal year exceeded or were less than the eligible costs incurred by each
19 PSAP during the fiscal year. If a PSAP receives less than its eligible costs in
20 any fiscal year, the Board may increase a PSAP's distribution in the
21 following fiscal year above the base amount as determined by the formula to
22 meet the estimated eligible costs of the PSAP as determined by the Board.
23 The Board may not distribute less than the base amount to each PSAP except
24 as provided in subsection (b1) of this section. The Board must provide a
25 procedure for a PSAP to request a reconsideration of its distribution or
26 eligible expenses.

27 (5) Appeal of distribution denial. – A decision by the Board to deny a
28 distribution for expenses incurred by a PSAP shall be in writing and must
29 include the following elements:

30 a. The reason for the denial.

31 b. A statement notifying the PSAP of the right to appeal or request
32 reconsideration of the denial.

33 c. Information about the procedure for filing an appeal or requesting
34 reconsideration of the denial.

35 ...



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1 (c) Use of Funds. – A PSAP that receives a distribution from the 911 Fund may not use
2 the amount received to pay for the lease or purchase of real estate, cosmetic remodeling of
3 emergency dispatch centers, hiring or compensating telecommunicators, or the purchase of
4 mobile communications vehicles, ambulances, fire engines, or other emergency vehicles.
5 Distributions received by a PSAP may be used only to pay for the following:

- 6 (1) The lease, purchase, or maintenance of:
 - 7 a. Emergency telephone equipment, including necessary computer
 - 8 hardware, software, and database provisioning.
 - 9 b. Addressing.
 - 10 c. Telecommunicator furniture.
 - 11 d. Dispatch equipment located exclusively within a building where a
 - 12 PSAP or back-up PSAP is located, ~~excluding the costs of base station~~
 - 13 ~~transmitters, towers, microwave links, and antennae used to dispatch~~
 - 14 ~~emergency call information from the PSAP or back up~~
 - 15 ~~PSAP located.~~
 - 16 e. Base station transmitters, towers, microwave links, antennae, and all
 - 17 other transmission equipment located on or otherwise attached to any
 - 18 tower used to dispatch emergency call information from the PSAP.

19"

20 **SECTION 2.(a)** The Legislative Research Commission shall study the structure,
21 operations, and functions of the 911 Board. The study shall include the following issues:

- 22 (1) The composition of the 911 Board and appropriate placement of the 911
- 23 Board within State government.
- 24 (2) The development of operating standards for Public Safety Answering Points
- 25 (PSAPs), including standards for the content and delivery of training and
- 26 certification for telecommunicators assigned to PSAPs.
- 27 (3) The administration of the 911 Fund.
- 28 (4) Any other issues the Commission finds relevant to the structure, operations,
- 29 and functions of the 911 Board.

30 **SECTION 2.(b)** The Commission shall report its findings and any
31 recommendations for statutory or administrative changes to the Joint Legislative Commission
32 on Governmental Operations no later than January 31, 2015.

33 **SECTION 3.** This act becomes effective July 1, 2015.