

SENATE BILL 686

E4, C5

6lr1584

By: **Senator Kagan**

Introduced and read first time: February 5, 2016

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Public Safety – 9–1–1 Emergency Telephone System – Information Sharing**
3 **(Carl Henn’s Law)**

4 FOR the purpose of specifying that a purpose of the 9–1–1 emergency telephone system is
5 to establish a certain mechanism for the Emergency Number Systems Board to
6 review certain data; expanding the purpose of the Board to include review of certain
7 data contained in certain reports; requiring the Board to include a general summary
8 of findings from a review of certain reports in an annual report submitted to certain
9 entities; requiring a telephone company or a certain 9–1–1 service carrier to provide
10 a certain report to certain entities at certain intervals; authorizing a county to select
11 a different week within a certain interval to study the capacity of certain public
12 safety answering points; specifying that certain reports are not subject to the Public
13 Information Act; specifying that certain entities may only discuss certain
14 information in certain closed sessions or executive sessions; defining a certain term;
15 and generally relating to 9–1–1 service.

16 BY repealing and reenacting, without amendments,
17 Article – Public Safety
18 Section 1–101(a) and (b) and 1–301(a), (c), (d), (e), (l), (n), (o), and (t)
19 Annotated Code of Maryland
20 (2011 Replacement Volume and 2015 Supplement)

21 BY repealing and reenacting, with amendments,
22 Article – Public Safety
23 Section 1–302, 1–306, and 1–307
24 Annotated Code of Maryland
25 (2011 Replacement Volume and 2015 Supplement)

26 BY adding to
27 Article – Public Safety
28 Section 1–315

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Annotated Code of Maryland
2 (2011 Replacement Volume and 2015 Supplement)

3 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
4 That the Laws of Maryland read as follows:

5 **Article – Public Safety**

6 1–101.

7 (a) In this article the following words have the meanings indicated.

8 (b) “County” means a county of the State or Baltimore City.

9 1–301.

10 (a) In this subtitle the following words have the meanings indicated.

11 (c) “Board” means the Emergency Number Systems Board.

12 (d) “Commercial mobile radio service” or “CMRS” means mobile
13 telecommunications service that is:

14 (1) provided for profit with the intent of receiving compensation or
15 monetary gain;

16 (2) an interconnected, two–way voice service; and

17 (3) available to the public.

18 (e) “Commercial mobile radio service provider” or “CMRS provider” means a
19 person authorized by the Federal Communications Commission to provide CMRS in the
20 State.

21 (l) “9–1–1–accessible service” means telephone service or another
22 communications service that connects an individual dialing the digits 9–1–1 to an
23 established public safety answering point.

24 (n) (1) “9–1–1 service carrier” means a provider of CMRS or other
25 9–1–1–accessible service.

26 (2) “9–1–1 service carrier” does not include a telephone company.

27 (o) (1) “9–1–1 system” means telephone service that:

28 (i) meets the planning guidelines established under this subtitle;
29 and

1 (ii) automatically connects an individual dialing the digits 9-1-1 to
2 an established public safety answering point.

3 (2) "9-1-1 system" includes:

4 (i) equipment for connecting and outswitching 9-1-1 calls within a
5 telephone central office;

6 (ii) trunking facilities from a telephone central office to a public
7 safety answering point; and

8 (iii) equipment to connect 9-1-1 calls to the appropriate public safety
9 agency.

10 (t) "Public safety answering point" means a communications facility that:

11 (1) is operated on a 24-hour basis;

12 (2) first receives 9-1-1 calls in a 9-1-1 service area; and

13 (3) as appropriate, dispatches public safety services directly, or transfers
14 9-1-1 calls to appropriate public safety agencies.

15 1-302.

16 (a) The General Assembly:

17 (1) recognizes the paramount importance of the safety and well-being of
18 the public;

19 (2) recognizes that timely and appropriate assistance must be provided
20 when the lives or property of the public are in imminent danger;

21 (3) recognizes that emergency assistance usually is summoned by
22 telephone, and that a multiplicity of emergency telephone numbers existed throughout the
23 State and within each county;

24 (4) was concerned that avoidable delays in reaching appropriate
25 emergency assistance were occurring to the jeopardy of life and property;

26 (5) acknowledges that the three digit number, 9-1-1, is a nationally
27 recognized and applied telephone number that may be used to summon emergency
28 assistance and to eliminate delays caused by lack of familiarity with emergency numbers
29 and by confusion in circumstances of crisis; and

1 (6) recognizes that all end user customers of 9-1-1-accessible services,
2 including consumers of prepaid wireless telecommunications service, should contribute in
3 a fair and equitable manner to the 9-1-1 Trust Fund.

4 (b) The purposes of this subtitle are to:

5 (1) establish the three digit number, 9-1-1, as the primary emergency
6 telephone number for the State; [and]

7 (2) provide for the orderly installation, maintenance, and operation of
8 9-1-1 systems in the State; AND

9 **(3) REQUIRE THE BOARD TO REVIEW DATA COLLECTED FROM A**
10 **TELEPHONE COMPANY OR A 9-1-1 SERVICE CARRIER IN REPORTS SUBMITTED**
11 **UNDER § 1-315 OF THIS SUBTITLE.**

12 1-306.

13 (a) The Board shall coordinate the enhancement of county 9-1-1 systems.

14 (b) The Board's responsibilities include:

15 (1) establishing planning guidelines for enhanced 9-1-1 system plans and
16 deployment of wireless enhanced 9-1-1 service in accordance with this subtitle;

17 (2) establishing procedures to review and approve or disapprove county
18 plans and to evaluate requests for variations from the planning guidelines established by
19 the Board;

20 (3) establishing procedures for the request for reimbursement of the costs
21 of enhancing a 9-1-1 system by a county or counties in which a 9-1-1 system is in
22 operation, and procedures to review and approve or disapprove the request;

23 (4) transmitting the planning guidelines and procedures established under
24 this section, and any amendments to them, to the governing body of each county;

25 (5) submitting to the Secretary each year a schedule for implementing the
26 enhancement of county or multicounty 9-1-1 systems, and an estimate of funding
27 requirements based on the approved county plans;

28 (6) developing, with input from counties, and publishing on or before July
29 1, 2004, an implementation schedule for deployment of wireless enhanced 9-1-1 service;

30 (7) reviewing and approving or disapproving requests for reimbursement
31 of the costs of enhancing 9-1-1 systems, and submitting to the Secretary each year a
32 schedule for reimbursement and an estimate of funding requirements;

1 (8) reviewing the enhancement of 9-1-1 systems;

2 (9) providing for an audit of county expenditures for the operation and
3 maintenance of 9-1-1 systems;

4 (10) ensuring inspections of public safety answering points;

5 (11) reviewing and approving or disapproving requests from counties with
6 operational enhanced 9-1-1 systems to be exempted from the expenditure limitations
7 under § 1-312 of this subtitle;

8 (12) authorizing expenditures from the 9-1-1 Trust Fund that:

9 (i) are for enhancements of 9-1-1 systems that:

10 1. are required by the Board;

11 2. will be provided to a county by a third party contractor;

12 and

13 3. will incur costs that the Board has approved before the
14 formation of a contract between the county and the contractor; and

15 (ii) are approved by the Board for payment:

16 1. from money collected under § 1-310 of this subtitle; and

17 2. directly to a third party contractor on behalf of a county;

18 [and]

19 (13) establishing planning guidelines for next generation 9-1-1 services
20 system plans and deployment of next generation 9-1-1 services in accordance with this
21 subtitle; **AND**

22 **(14) REVIEWING DATA CONTAINED IN REPORTS SUBMITTED UNDER**
23 **§ 1-315 OF THIS SUBTITLE.**

24 (c) The guidelines established by the Board under subsection (b)(1) and (13) of
25 this section:

26 (1) shall be based on available technology and equipment; and

27 (2) may be based on any other factor that the Board determines is
28 appropriate, including population and area served by 9-1-1 systems.

29 1-307.

1 (a) The Board shall submit an annual report to the Governor, the Secretary, and,
2 subject to § 2-1246 of the State Government Article, the Legislative Policy Committee.

3 (b) The report shall provide the following information for each county:

4 (1) the type of 9-1-1 system currently operating in the county;

5 (2) the total 9-1-1 fee and additional charge charged;

6 (3) the funding formula in effect;

7 (4) any statutory or regulatory violation by the county and the response of
8 the Board;

9 (5) any efforts to establish an enhanced 9-1-1 system in the county; [and]

10 (6) **A GENERAL SUMMARY OF FINDINGS FROM A REVIEW OF REPORTS**
11 **SUBMITTED QUARTERLY UNDER § 1-315 OF THIS SUBTITLE, EXCLUDING ANY**
12 **SENSITIVE INFORMATION THAT MAY COMPROMISE THE 9-1-1 SYSTEM; AND**

13 (7) any suggested changes to this subtitle.

14 **1-315.**

15 (A) **IN THIS SECTION, “P.01 REPORT” MEANS A REPORT THAT A TELEPHONE**
16 **COMPANY OR A 9-1-1 SERVICE CARRIER GENERATES TO:**

17 (1) **ANALYZE DATA COLLECTED FROM A PUBLIC SAFETY ANSWERING**
18 **POINT DURING THE TIME PERIODS LISTED IN SUBSECTION (B) OF THIS SECTION;**
19 **AND**

20 (2) **DETERMINE WHETHER THE GRADE OF SERVICE LEVEL IN EACH**
21 **TIME PERIOD MET A STANDARD OF HAVING NOT MORE THAN ONE INCOMING CALL**
22 **TO EACH PUBLIC SAFETY ANSWERING POINT OUT OF 100 ATTEMPTS BE BLOCKED**
23 **DURING THE AVERAGE BUSY HOUR.**

24 (B) (1) **EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION,**
25 **THE BOARD SHALL DIRECT A COUNTY TO REQUIRE A TELEPHONE COMPANY OR A**
26 **9-1-1 SERVICE CARRIER TO COMPILE DATA FROM CALLS PLACED TO EACH PUBLIC**
27 **SAFETY ANSWERING POINT DURING THE WEEKS STARTING ON:**

28 (I) **JANUARY 1;**

29 (II) **APRIL 1;**

1 (III) JULY 1; AND

2 (IV) OCTOBER 1.

3 (2) A COUNTY MAY SELECT A DIFFERENT WEEK WITHIN A QUARTERLY
4 REPORTING PERIOD TO BETTER REFLECT THE CAPACITY OF PUBLIC SAFETY
5 ANSWERING POINTS IN THE COUNTY.

6 (3) A TELEPHONE COMPANY OR A 9-1-1 SERVICE CARRIER SHALL
7 PROVIDE A COPY OF A P.01 REPORT TO:

8 (I) A PUBLIC SAFETY ANSWERING POINT;

9 (II) 1. THE MAYOR OF BALTIMORE CITY OR A COUNTY
10 EXECUTIVE; OR

11 2. FOR A COUNTY THAT DOES NOT HAVE A COUNTY
12 EXECUTIVE, THE PRESIDENT OF THE BOARD OF COUNTY COMMISSIONERS OR
13 COUNTY COUNCIL OR OTHER CHIEF EXECUTIVE OFFICER OF THE COUNTY;

14 (III) THE BOARD; AND

15 (IV) THE PUBLIC SERVICE COMMISSION.

16 (4) (I) A P.01 REPORT IS NOT SUBJECT TO DISCLOSURE UNDER
17 THE PUBLIC INFORMATION ACT.

18 (II) THE BOARD OR THE PUBLIC SERVICE COMMISSION MAY
19 ONLY DISCUSS SENSITIVE INFORMATION FROM A P.01 REPORT THAT MAY
20 COMPROMISE THE 9-1-1 SYSTEM IN CLOSED SESSION OR EXECUTIVE SESSION.

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June
22 1, 2016.