

SENATE BILL 252

E4

EMERGENCY BILL
(PRE-FILED)

4r0141
CF 4r0142

By: **Chair, Education, Energy, and the Environment Committee (By Request – Departmental – Maryland Department of Emergency Management)**

Requested: September 18, 2023

Introduced and read first time: January 10, 2024

Assigned to: Education, Energy, and the Environment

Committee Report: Favorable

Senate action: Adopted

Read second time: February 3, 2024

CHAPTER _____

1 AN ACT concerning

2 **Public Safety – 9–1–1 Trust Fund – Alterations**

3 FOR the purpose of altering the 9–1–1 Trust Fund to authorize the use of certain allocated
4 funds for the payment of the salary of certain personnel; and generally relating to
5 the 9–1–1 Trust Fund.

6 BY repealing and reenacting, with amendments,
7 Article – Public Safety
8 Section 1–308 and 1–309
9 Annotated Code of Maryland
10 (2022 Replacement Volume and 2023 Supplement)

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

13 **Article – Public Safety**

14 1–308.

15 (a) There is a 9–1–1 Trust Fund.

16 (b) (1) Except as provided in paragraph (2) of this subsection and subject to §
17 1–309.1 of this subtitle, the purposes of the 9–1–1 Trust Fund are to:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



- 1 (i) reimburse counties for the cost of enhancing a 9–1–1 system;
- 2 (ii) pay contractors in accordance with § 1–306(b)(12) of this subtitle;
- 3 and
- 4 (iii) fund the coordinator position and staff to handle the increased
- 5 duties related to wireless enhanced 9–1–1 service under § 1–305 of this subtitle, as an
- 6 administrative cost.

7 (2) Subject to paragraph (3) of this subsection, in addition to the purposes

8 described under paragraph (1) of this subsection, the purposes of the 9–1–1 Trust Fund

9 include funding:

10 (i) the operation and maintenance of 9–1–1 systems, enhanced

11 9–1–1 systems, and Next Generation 9–1–1 services, including:

12 1. equipment and software utilized directly for providing

13 9–1–1 services by a public safety answering point;

14 2. protocol systems and software utilized directly for

15 providing 9–1–1 services by a public safety answering point;

16 3. interpretation services provided for a public safety

17 answering point;

18 4. services provided for a public safety answering point to

19 ensure improved access to individuals with disabilities and other individuals who use

20 assistive technology; and

21 5. voice, data, and call log recorders utilized to capture

22 information from 9–1–1 systems, enhanced 9–1–1 systems, and Next Generation 9–1–1

23 services;

24 (ii) the operation and maintenance of 9–1–1 systems, enhanced

25 9–1–1 systems, and Next Generation 9–1–1 services connectivity and infrastructure

26 equipment, including:

27 1. automatic number and location identification; and

28 2. Primary Rate Interface and Session Initiation Protocol

29 trunking for 10–digit emergency and nonemergency lines;

30 (iii) geographical information systems hardware, software, data

31 development, and data management costs incurred for the effective operation of 9–1–1

32 systems, enhanced 9–1–1 systems, and Next Generation 9–1–1 services, including:

- 1 1. mapping equipment;
- 2 2. interfaces to computer-aided dispatch; and
- 3 3. geographical information systems base layer development

4 and management;

5 (iv) public safety answering point facilities costs, including access
6 control, security systems, and standby power;

7 (v) costs for public education materials;

8 (vi) the training of county personnel working in or directly
9 supporting a public safety answering point;

10 (vii) the provision of tuition reimbursement for 9-1-1 specialists for
11 educational programs related to the 9-1-1 specialist career field;

12 (viii) costs to maintain the cybersecurity of 9-1-1 systems, enhanced
13 9-1-1 systems, and Next Generation 9-1-1 services; and

14 (ix) costs of 9-1-1 specialist recruitment activities as described in §
15 1-306(b)(17) of this subtitle.

16 (3) Funding allocated in accordance with paragraph (2) of this subsection
17 may not be utilized for[:

18 (i) the payment of the salary of public safety answering point
19 personnel or county personnel; or

20 (ii)] any purpose associated with the 9-8-8 suicide prevention
21 hotline.

22 (c) The 9-1-1 Trust Fund consists of:

23 (1) money from the 9-1-1 fee collected and remitted to the Comptroller
24 under § 1-310 of this subtitle;

25 (2) money from the additional charge collected and remitted to the
26 Comptroller under § 1-311 of this subtitle;

27 (3) money from the prepaid wireless E 9-1-1 fee collected and remitted to
28 the Comptroller under § 1-313 of this subtitle; and

29 (4) investment earnings of the 9-1-1 Trust Fund.

30 (d) Money in the 9-1-1 Trust Fund shall be held in the State Treasury.

1 (e) The Secretary shall administer the 9-1-1 Trust Fund, subject to the
2 guidelines for financial management and budgeting established by the Department of
3 Budget and Management.

4 (f) The Secretary shall direct the Comptroller to establish separate accounts in
5 the 9-1-1 Trust Fund for the payment of administrative expenses and for each county.

6 (g) (1) Any investment earnings shall be credited to the 9-1-1 Trust Fund.

7 (2) The Comptroller shall allocate the investment income among the
8 accounts in the 9-1-1 Trust Fund, prorated on the basis of the total fees collected in each
9 county.

10 1-309.

11 (a) On recommendation of the Board, each year the Secretary shall request an
12 appropriation from the 9-1-1 Trust Fund in an amount sufficient to:

13 (1) carry out the purposes of this subtitle;

14 (2) pay the administrative costs chargeable to the 9-1-1 Trust Fund; and

15 (3) reimburse counties for the cost of enhancing a 9-1-1 system.

16 (b) (1) Subject to the limitations under subsection (e) of this section, the
17 Comptroller shall disburse the money in the 9-1-1 Trust Fund as provided in this
18 subsection.

19 (2) Each July 1, the Comptroller shall allocate sufficient money from the
20 State 9-1-1 fee to pay the costs of administering the 9-1-1 Trust Fund.

21 (3) As directed by the Secretary and in accordance with the State budget,
22 the Comptroller, from the appropriate account, shall:

23 (i) reimburse counties for the cost of enhancing a 9-1-1 system;

24 (ii) pay contractors in accordance with § 1-306(b)(12) of this subtitle;

25 and

26 (iii) pay the costs associated with maintenance, operations, and
27 programs approved by the Board in accordance with § 1-308(b) of this subtitle.

28 (4) (i) The Comptroller shall pay to each county from its account the
29 money requested by the county to pay the maintenance and operation costs of the county's
30 9-1-1 system in accordance with the State budget.

1 (ii) The Comptroller shall pay the money for maintenance and
2 operation costs on September 30, December 31, March 31, and June 30 of each year.

3 (c) (1) Money accruing to the 9-1-1 Trust Fund may be used as provided in
4 this subsection.

5 (2) Money collected from the State 9-1-1 fee may be used only to:

6 (i) pay the administrative costs chargeable to the 9-1-1 Trust Fund;

7 (ii) reimburse counties for the cost of enhancing a 9-1-1 system;

8 (iii) pay contractors in accordance with § 1-306(b)(12) of this subtitle;

9 and

10 (iv) pay the costs associated with maintenance, operations, and
11 programs approved by the Board in accordance with § 1-308(b) of this subtitle.

12 (3) **MONEY COLLECTED FROM THE STATE 9-1-1 FEE MAY NOT BE**
13 **UTILIZED FOR THE PAYMENT OF THE SALARY OF PUBLIC SAFETY ANSWERING POINT**
14 **PERSONNEL OR COUNTY PERSONNEL.**

15 (4) Money collected from the county 9-1-1 fee may be used by the counties
16 only for the maintenance and operation costs of the 9-1-1 system.

17 [(4)] (5) Money collected from the prepaid wireless E 9-1-1 fee shall be
18 used as follows:

19 (i) 25% for the same purpose as the 9-1-1 fee under paragraph (2)
20 of this subsection; and

21 (ii) 75% for the same purpose as the county 9-1-1 fee under
22 paragraph [(3)] (4) of this subsection, prorated on the basis of the total fees collected in
23 each county.

24 [(5)] (6) Money accruing to the 9-1-1 Trust Fund may not be used for:

25 (i) the maintenance or operation of communications centers other
26 than public safety answering points; or

27 (ii) any purpose associated with the 9-8-8 suicide prevention
28 hotline.

29 (d) (1) Reimbursement may be made only to the extent that county money was
30 used to enhance the 9-1-1 system.

1 (2) Reimbursement for the enhancement of 9-1-1 systems shall include
2 the installation of equipment for automatic number identification, automatic location
3 identification, and other technological advancements that the Board requires.

4 (3) Reimbursement from money collected from the State 9-1-1 fee may be
5 used only for 9-1-1 system enhancements approved by the Board.

6 (e) (1) The Board may direct the Comptroller to withhold from a county money
7 for 9-1-1 system expenditures if the county violates this subtitle or a regulation of the
8 Board.

9 (2) (i) The Board shall state publicly in writing its reason for
10 withholding money from a county and shall record its reason in the minutes of the Board.

11 (ii) On reaching its decision to withhold money, the Board shall
12 notify the county.

13 (iii) The county has 30 days after the date of notification to respond
14 in writing to the Board.

15 (3) (i) On notification by the Board, the Comptroller shall hold money
16 for the county in the county's account in the 9-1-1 Trust Fund.

17 (ii) Money held by the Comptroller under subparagraph (i) of this
18 paragraph does not accrue interest for the county.

19 (iii) Interest income earned on money held by the Comptroller under
20 subparagraph (i) of this paragraph accrues to the 9-1-1 Trust Fund.

21 (4) County money withheld by the Comptroller shall be withheld until the
22 Board directs the Comptroller to release the money.

23 (f) (1) The Legislative Auditor may conduct fiscal/compliance audits of the
24 9-1-1 Trust Fund and of the appropriations and disbursements made for purposes of this
25 subtitle.

26 (2) The cost of the fiscal portion of the audits shall be paid from the 9-1-1
27 Trust Fund as an administrative cost.

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency
29 measure, is necessary for the immediate preservation of the public health or safety, has
30 been passed by a ye and nay vote supported by three-fifths of all the members elected to
31 each of the two Houses of the General Assembly, and shall take effect from the date it is
32 enacted.