
By: **Delegates Stern, Barkley, Boutin, Bronrott, V. Clagett, Donoghue,
Dumais, Franchot, Heller, Holmes, Kaiser, King, Lee, McHale, Moe,
Montgomery, Murray, Petzold, and Taylor**

Introduced and read first time: January 29, 2003

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Public Safety - 9-1-1 Emergency Telephone System - Enhanced Wireless**
3 **9-1-1 Services**

4 FOR the purpose of requiring each county's 9-1-1 system to provide certain wireless
5 9-1-1 services; requiring the Emergency Number Systems Board to prepare a
6 certain plan to upgrade each county's 9-1-1 system to include certain services
7 by a certain date; authorizing the 9-1-1 Trust Fund to be used to reimburse
8 counties for the costs of certain upgrades to provide certain wireless 9-1-1
9 services; requiring the Secretary of the Department of Public Safety and
10 Correctional Services to request a certain appropriation; requiring the
11 Comptroller to reimburse counties for the costs of certain upgrades; authorizing
12 the money collected from the 9-1-1 fee to be used to reimburse counties for the
13 costs of certain upgrades to provide certain wireless 9-1-1 services; requiring
14 that a certain percentage of a certain fee be used for certain reimbursements;
15 increasing a certain fee; defining a certain term; providing for the termination of
16 certain provisions of this Act; providing for the effective dates of certain
17 provisions of this Act; and generally relating to the 9-1-1 emergency telephone
18 system and wireless enhanced services.

19 BY repealing and reenacting, with amendments,
20 Article 41 - Governor - Executive and Administrative Departments
21 Section 18-101(f), 18-102(a), 18-103(h), 18-105(a), (b)(1), and (f), and
22 18-107(b) and (f)
23 Annotated Code of Maryland
24 (1997 Replacement Volume and 2002 Supplement)

25 BY repealing and reenacting, with amendments,
26 Article - Public Safety
27 Section 1-301, 1-304(a), 1-306(b), 1-308(b), 1-309(a) through (d), and 1-310(b)
28 Annotated Code of Maryland
29 (As enacted by Chapter ____ (S.B. 1) of the Acts of the General Assembly of 2003)

1 BY repealing and reenacting, without amendments,
2 Article - Public Safety
3 Section 1-308(a)
4 Annotated Code of Maryland
5 (As enacted by Chapter ____ (S.B. 1) of the Acts of the General Assembly of 2003)

6 BY repealing and reenacting, with amendments,
7 Article - Public Safety
8 Section 1-309(c)
9 Annotated Code of Maryland
10 (As enacted by Chapter ____ (S.B. 1) of the Acts of the General Assembly of 2003)
11 (As enacted by Section 2 of this Act)

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

14 **Article 41 - Governor - Executive and Administrative Departments**

15 18-101.

16 (f) In this subtitle, the following words and terms have the meanings
17 indicated:

18 (1) "County" means any of the 23 counties of Maryland and Baltimore
19 City.

20 (2) "Comptroller" means the Comptroller of the State Treasury.

21 (3) "Board" means the Emergency Number Systems Board.

22 (4) "ENHANCED WIRELESS 911 SERVICES" MEANS AUTOMATIC
23 DELIVERY, TO A PUBLIC SAFETY ANSWERING POINT, OF AUTOMATIC NUMBER AND
24 LOCATION IDENTIFICATION INFORMATION FOR CALLS PLACED USING A WIRELESS
25 TELEPHONE SERVICE.

26 [(4)] (5) "Secretary" means the Secretary of the State Department of
27 Public Safety and Correctional Services.

28 [(5)] (6) "911 system" means a telephone service which meets the
29 planning guidelines established pursuant to § 18-103 of this subtitle, and which
30 automatically connects a person dialing the digits 911 to an established public safety
31 answering point. 911 system includes equipment for connecting and outswitching 911
32 calls within a telephone central office, trunking facilities from the central office to a
33 public safety answering point, and equipment to connect 911 calls to the appropriate
34 public safety agency.

35 [(6)] (7) "Enhanced 911" means a 911 system that provides:

- 1 (i) Automatic number identification;
- 2 (ii) Automatic location identification; and
- 3 (iii) After July 1, 1995, other future technological advancements
4 that the Board may require.

5 [(7)] (8) "Public safety answering point" means a communications
6 facility operated on a 24 hour basis which first receives 911 calls from persons in a
7 911 service area and which may, as appropriate, directly dispatch public safety
8 services or extend, transfer, or relay 911 calls to appropriate public safety agencies.

9 [(8)] (9) "Public safety agency" means a functional division of a public
10 agency which provides fire fighting, police, medical, or other emergency services or a
11 private entity which provides such services on a voluntary basis.

12 [(9)] (10) "County plan" means a plan for a 911 system or enhanced 911
13 system or any amendment to the plan developed by a county or several counties
14 together under the provisions of §§ 18-103 and 18-104 of this subtitle.

15 [(10)] (11) "911 Trust Fund" means the Fund established by § 18-105 of
16 this subtitle.

17 [(11)] (12) "Multicounty" means two or more counties which are
18 contiguous.

19 [(12)] (13) "911 fee" means the fee imposed pursuant to § 18-105(b) of
20 this subtitle.

21 [(13)] (14) "Additional charge" means the charge imposed by a county
22 pursuant to § 18-105(c) of this subtitle.

23 [(14)] (15) (i) "Wireless telephone service" means public telephone
24 services provided for two way voice or data communication which is transmitted
25 independent of switched local exchange access telephone service and which may in
26 part be transmitted via cable or wire as part of a larger telephone or cable system.

27 (ii) "Wireless telephone service" includes:

- 28 1. Cellular telephone service (cellular);
- 29 2. Personal communication service (PCS); and
- 30 3. Specialized mobile radio (SMR).

31 (iii) "Wireless telephone service" does not include any service that
32 cannot connect a person dialing the digits 911 to an established public safety
33 answering point under the 911 system.

1 [(15)] (16) "911-accessible service" means any telephone or other
2 communications service that connects a person dialing the digits 911 to an
3 established public safety answering point under the 911 system.

4 [(16)] (17) (i) "911 service carrier" means any provider of a wireless
5 telephone service or other 911-accessible service.

6 (ii) "911 service carrier" does not include a telephone company.

7 18-102.

8 (a) (1) On or before July 1, 1995 all counties shall have in operation an
9 enhanced 911 system.

10 (2) ON OR BEFORE DECEMBER 31, 2005, EACH COUNTY'S 911 SYSTEM
11 SHALL PROVIDE ENHANCED WIRELESS 911 SERVICES.

12 18-103.

13 (h) The Board shall coordinate the enhancement of county 911 systems. The
14 following responsibilities shall be included in this coordination role:

15 (1) To establish planning guidelines for enhanced 911 system plans in
16 accordance with § 18-104. The guidelines shall be based upon available technology
17 and equipment and may be based upon other factors such as population and area
18 served by 911 systems as determined by the Board to be appropriate;

19 (2) TO PREPARE AN IMPLEMENTATION SCHEDULE TO UPGRADE EACH
20 COUNTY'S 911 SYSTEM TO INCLUDE ENHANCED WIRELESS 911 SERVICES BY
21 DECEMBER 31, 2005;

22 [(2)] (3) To establish procedures to review and approve or disapprove
23 county or multicounty plans and to evaluate requests for variations from the
24 established guidelines;

25 [(3)] (4) To establish criteria for the request for reimbursement of the
26 costs of enhancing a 911 system by any county or counties in which a 911 system is in
27 operation and for the procedures to review and approve or disapprove the request;

28 [(4)] (5) To transmit the planning guidelines and the procedures
29 established in accordance with this section, and any amendments to those guidelines
30 and procedures, to the county executive and the county council or to the president of
31 the board of county commissioners in each county;

32 [(5)] (6) To present annually to the Secretary a schedule for
33 implementing the enhancement of county or multicounty 911 systems and an
34 estimate of funding requirements based upon the approved county plans;

1 [(6)] (7) To review and approve or disapprove requests for
 2 reimbursement of the costs of enhancing 911 systems and to present to the Secretary
 3 annually a schedule for reimbursement and an estimate of funding requirements;

4 [(7)] (8) To review the enhancement of 911 systems;

5 [(8)] (9) To audit county expenditures for the operation and
 6 maintenance of 911 systems;

7 [(9)] (10) To ensure inspections of public safety answering points;

8 [(10)] (11) To review and approve or disapprove requests from counties
 9 with operational enhanced 911 systems to be exempted from the expenditure
 10 limitations under the provisions of § 18-108(d) of this subtitle; and

11 [(11)] (12) To authorize expenditures from the 911 Trust Fund that:

12 (i) Involve enhancements that:

13 1. Are required by the Board;

14 2. Will be provided to a county by a third party contractor;

15 and

16 3. Will incur costs that the Board has approved prior to the
 17 formation of a contract between the county and the contractor; and

18 (ii) Are approved by the Board for payment:

19 1. From proceeds collected in accordance with the provisions
 20 of § 18-105(b) of this subtitle; and

21 2. Directly to a third party contractor on behalf of a county.

22 18-105.

23 (a) (1) There is a 911 Trust Fund created for the purpose of:

24 (i) Reimbursing the counties for enhancements to a 911 system,
 25 **INCLUDING UPGRADING A 911 SYSTEM TO PROVIDE ENHANCED WIRELESS 911**
 26 **SERVICES;** and

27 (ii) Paying contractors in accordance with the provisions of §
 28 [18-103(h)(11)] 18-103(H)(12) of this subtitle.

29 (2) Moneys in the 911 Trust Fund shall be held in the State Treasury.

30 (b) (1) For purposes of this subtitle, there is a 911 fee to be paid by the
 31 subscribers to switched local exchange access service, wireless telephone service, or
 32 other 911-accessible service. The 911 fee is [10] 25 cents per month payable at the
 33 time when the bills for telephone service are due.

1 (f) The Comptroller shall disburse the moneys in the 911 Trust Fund as
2 provided in this subsection, subject to the limitations under § 18-103(i) of this
3 subtitle.

4 (1) Each July 1, the Comptroller shall allocate sufficient revenues from
5 the 911 fee to pay the costs of administering the 911 Trust Fund as provided by law.

6 (2) As directed by the Secretary and as provided in the State budget, the
7 Comptroller shall pay from the appropriate account the costs of:

8 (i) Reimbursing the costs of enhancing a 911 system, INCLUDING
9 THE COSTS OF UPGRADING A 911 SYSTEM TO PROVIDE ENHANCED WIRELESS 911
10 SERVICES, by a county or several counties; and

11 (ii) Paying contractors in accordance with the provisions of §
12 [18-103(h)(11)] 18-103(H)(12) of this subtitle.

13 (3) If a 911 system is in operation in a county, the Comptroller shall pay
14 to that county from the account of that county the amount of moneys requested by the
15 county and as provided in the State budget to pay for the costs of maintaining and
16 operating the 911 system. The Comptroller shall pay the moneys for maintaining and
17 operating 911 systems on September 30, December 31, March 31, and June 30 of each
18 year.

19 18-107.

20 (b) Upon the recommendation of the Board, each year the Secretary shall
21 request an appropriation from the 911 Trust Fund in an amount which is sufficient to
22 provide reimbursement for enhancement costs, INCLUDING THE COSTS OF
23 UPGRADING A 911 SYSTEM TO PROVIDE ENHANCED WIRELESS 911 SERVICES, to those
24 counties which are operating a 911 system.

25 (1) Reimbursement shall be made only to the extent that county funds
26 were used to enhance the 911 system, INCLUDING UPGRADING A 911 SYSTEM TO
27 PROVIDE ENHANCED WIRELESS 911 SERVICES.

28 (2) Reimbursement for the enhancement of 911 systems shall include the
29 installation of equipment for a 911 system as described in § [18-101(f)(6)] 18-101(F)(7)
30 of this subtitle.

31 (3) Reimbursement from revenues collected from the 911 fee established
32 under § 18-105(b) shall be used only for 911 system enhancements approved by the
33 Board.

34 (f) [Funds] EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION,
35 FUNDS accruing to the 911 Trust Fund after January 1, 1991 may be used in the
36 following manner:

37 (1) Revenues collected from the 911 fee may be used to:

1 (i) Reimburse the counties for the cost of 911 system
2 enhancements, INCLUDING THE COST OF UPGRADING A 911 SYSTEM TO PROVIDE
3 ENHANCED WIRELESS SERVICES, occurring after January 1, 1991; and

4 (ii) Pay contractors in accordance with the provisions of §
5 [18-103(h)(11)] 18-103(H)(12) of this subtitle.

6 (2) Revenues collected from the additional charge may be used by the
7 counties for the cost of operating and maintaining a 911 system, subject to the
8 limitations under § 18-108 of this subtitle.

9 (3) OF THE REVENUES COLLECTED FROM THE 911 FEE, 60% MUST BE
10 USED TO REIMBURSE COUNTIES FOR THE COST OF UPGRADING A 911 SYSTEM TO
11 PROVIDE ENHANCED WIRELESS 911 SERVICES.

12 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland
13 read as follows:

14 **Article - Public Safety**

15 1-301.

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

17 (b) "Additional charge" means the charge imposed by a county in accordance
18 with § 1-311 of this subtitle.

19 (c) "Board" means the Emergency Number Systems Board.

20 (d) "County plan" means a plan for a 9-1-1 system or enhanced 9-1-1 system,
21 or an amendment to the plan, developed by a county or several counties together
22 under this subtitle.

23 (e) "Enhanced 9-1-1 system" means a 9-1-1 system that provides:

24 (1) automatic number identification;

25 (2) automatic location identification; and

26 (3) any other technological advancements that the Board requires.

27 (f) "ENHANCED WIRELESS 9-1-1 SERVICES" MEANS AUTOMATIC DELIVERY,
28 TO A PUBLIC SAFETY ANSWERING POINT, OF AUTOMATIC NUMBER AND LOCATION
29 IDENTIFICATION INFORMATION FOR CALLS PLACED USING A WIRELESS TELEPHONE
30 SERVICE.

31 (G) "9-1-1-accessible service" means telephone service or another
32 communications service that connects an individual dialing the digits 9-1-1 to an
33 established public safety answering point.

1 [(g)] (H) "9-1-1 fee" means the fee imposed in accordance with § 1-310 of
2 this subtitle.

3 [(h)] (I) (1) "9-1-1 service carrier" means a provider of wireless telephone
4 service or other 9-1-1-accessible service.

5 (2) "9-1-1 service carrier" does not include a telephone company.

6 [(i)] (J) (1) "9-1-1 system" means telephone service that:

7 (i) meets the planning guidelines established under this subtitle;
8 and

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

11 (2) "9-1-1 system" includes:

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

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

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

18 [(j)] (K) "9-1-1 Trust Fund" means the Fund established under § 1-308 of
19 this subtitle.

20 [(k)] (L) "Public safety agency" means:

21 (1) a functional division of a public agency that provides fire fighting,
22 police, medical, or other emergency services; or

23 (2) a private entity that provides fire fighting, police, medical, or other
24 emergency services on a voluntary basis.

25 [(l)] (M) "Public safety answering point" means a communications facility
26 that:

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

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

29 (3) as appropriate, dispatches public safety services directly, or transfers
30 9-1-1 calls to appropriate public safety agencies.

31 [(m)] (N) "Secretary" means the Secretary of Public Safety and Correctional
32 Services.

1 [(n)] (O) (1) "Wireless telephone service" means public telephone service
2 that:

3 (i) is provided for two way voice or data communication;

4 (ii) is transmitted independently of switched local exchange access
5 telephone service; and

6 (iii) may be transmitted partly via cable or wire as part of a larger
7 telephone or cable system.

8 (2) "Wireless telephone service" includes:

9 (i) cellular telephone service (cellular);

10 (ii) personal communication service (PCS); and

11 (iii) specialized mobile radio (SMR).

12 (3) "Wireless telephone service" does not include service that cannot
13 connect an individual dialing the digits 9-1-1 to an established public safety
14 answering point.

15 1-304.

16 (a) (1) Each county shall have in operation an enhanced 9-1-1 system.

17 (2) ON OR BEFORE DECEMBER 31, 2005, EACH COUNTY'S 9-1-1 SYSTEM
18 SHALL PROVIDE ENHANCED WIRELESS 9-1-1 SERVICES.

19 1-306.

20 (b) The Board's responsibilities include:

21 (1) establishing planning guidelines for enhanced 9-1-1 system plans in
22 accordance with this subtitle;

23 (2) PREPARING A PLAN TO UPGRADE EACH COUNTY'S 9-1-1 SYSTEM TO
24 INCLUDE ENHANCED WIRELESS 9-1-1 SERVICES BY DECEMBER 31, 2005;

25 [(2)] (3) establishing procedures to review and approve or disapprove
26 county plans and to evaluate requests for variations from the planning guidelines
27 established by the Board;

28 [(3)] (4) establishing procedures for the request for reimbursement of
29 the costs of enhancing a 9-1-1 system by a county or counties in which a 9-1-1
30 system is in operation, and procedures to review and approve or disapprove the
31 request;

1 [(4)] (5) transmitting the planning guidelines and procedures
 2 established under this section, and any amendments to them, to the governing body of
 3 each county;

4 [(5)] (6) submitting to the Secretary each year a schedule for
 5 implementing the enhancement of county or multicounty 9-1-1 systems, and an
 6 estimate of funding requirements based on the approved county plans;

7 [(6)] (7) reviewing and approving or disapproving requests for
 8 reimbursement of the costs of enhancing 9-1-1 systems, and submitting to the
 9 Secretary each year a schedule for reimbursement and an estimate of funding
 10 requirements;

11 [(7)] (8) reviewing the enhancement of 9-1-1 systems;

12 [(8)] (9) providing for an audit of county expenditures for the operation
 13 and maintenance of 9-1-1 systems;

14 [(9)] (10) ensuring inspections of public safety answering points;

15 [(10)] (11) reviewing and approving or disapproving requests from
 16 counties with operational enhanced 9-1-1 systems to be exempted from the
 17 expenditure limitations under § 1-312 of this subtitle; and

18 [(11)] (12) authorizing expenditures from the 9-1-1 Trust Fund that:

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

20 1. are required by the Board;

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

22 and

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

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

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

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

28 1-308.

29 (a) There is a 9-1-1 Trust Fund.

30 (b) The purposes of the 9-1-1 Trust Fund are to:

31 (1) reimburse counties for the cost of enhancing a 9-1-1 system,

32 **INCLUDING THE COST OF UPGRADING A 9-1-1 SYSTEM TO PROVIDE ENHANCED**

33 **WIRELESS 9-1-1 SERVICES;**

1 (2) pay contractors in accordance with § [1-306(b)(11)] 1-306(B)(12) of
2 this subtitle; and

3 (3) fund the coordinator position under § 1-305 of this subtitle.
4 1-309.

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

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

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

9 (3) reimburse counties for the cost of enhancing a 9-1-1 system,
10 INCLUDING THE COST OF UPGRADING A 9-1-1 SYSTEM TO PROVIDE ENHANCED
11 WIRELESS 9-1-1 SERVICES.

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

15 (2) Each July 1, the Comptroller shall allocate sufficient money from the
16 9-1-1 fee to pay the costs of administering the 9-1-1 Trust Fund.

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

19 (i) reimburse counties for the cost of enhancing a 9-1-1 system,
20 INCLUDING THE COST OF UPGRADING A 9-1-1 SYSTEM TO PROVIDE ENHANCED
21 WIRELESS 9-1-1 SERVICES; and

22 (ii) pay contractors in accordance with § [1-306(b)(11)] 1-306(B)(12)
23 of this subtitle.

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

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

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

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

32 (i) reimburse counties for the cost of enhancing a 9-1-1 system,
33 INCLUDING THE COST OF UPGRADING A 9-1-1 SYSTEM TO PROVIDE ENHANCED
34 WIRELESS 9-1-1 SERVICES; and

1 (ii) pay contractors in accordance with § [1-306(b)(11)] 1-306(B)(12)
2 of this subtitle.

3 (3) Money collected from the additional charge may be used by the
4 counties for the maintenance and operation costs of the 9-1-1 system.

5 (d) (1) Reimbursement may be made only to the extent that county money
6 was used to enhance the 9-1-1 system, INCLUDING UPGRADING A 9-1-1 SYSTEM TO
7 PROVIDE ENHANCED WIRELESS 9-1-1 SERVICES.

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

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

13 SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland
14 read as follows:

15 **Article - Public Safety**

16 1-309.

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

19 (2) [Money] EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS
20 SUBSECTION, MONEY collected from the 9-1-1 fee may be used to:

21 (i) reimburse counties for the cost of enhancing a 9-1-1 system,
22 including the cost of upgrading a 9-1-1 system to provide enhanced wireless 9-1-1
23 services; and

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

26 (3) OF THE MONEY COLLECTED FROM THE 9-1-1 FEE, 60% MUST BE
27 USED TO REIMBURSE COUNTIES FOR THE COST OF UPGRADING A 9-1-1 SYSTEM TO
28 PROVIDE ENHANCED WIRELESS 9-1-1 SERVICES.

29 (4) Money collected from the additional charge may be used by the
30 counties for the maintenance and operation costs of the 9-1-1 system.

31 1-310.

32 (b) The 9-1-1 fee is [10] 25 cents per month, payable when the bill for
33 telephone service is due.

1 SECTION 4. AND BE IT FURTHER ENACTED, That Sections 2 and 3 of this
2 Act shall take effect on the taking effect of Chapter ____ (S.B. 1) of the Acts of the
3 General Assembly of 2003. If Sections 2 and 3 of this Act take effect, Section 1 of this
4 Act shall be abrogated and of no further force and effect.

5 SECTION 5. AND BE IT FURTHER ENACTED, That Section 3 of this Act
6 shall remain effective for a period of 3 years and 9 months and, at the end of June 30,
7 2007, with no further action required by the General Assembly, Section 3 of this Act
8 shall be abrogated and of no further force and effect.

9 SECTION 6. AND BE IT FURTHER ENACTED, That, subject to the
10 provisions of Sections 4 and 5 of this Act, this Act shall take effect July 1, 2003.