

SENATE BILL 714

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CF 11r2102

By: **Senators Kagan, Reilly, and Jackson**
Introduced and read first time: February 3, 2021
Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Public Safety – 9–1–1 Emergency Telephone System – Alterations**

3 FOR the purpose of requiring, under certain circumstances, that certain commercial mobile
4 radio service providers and 9–1–1 service carriers provide certain notice to a certain
5 public safety answering point, the Maryland Joint Operations Center, and the
6 Maryland 9–1–1 Board; altering the composition of the Board; altering the
7 responsibilities of the Board to include establishing certain training standards
8 related to individual psychological well-being and resilience for public safety
9 answering point personnel; requiring the Board to support certain 9–1–1 specialist
10 recruitment activities; requiring the Board to establish certain onboarding standards
11 for newly hired 9–1–1 specialists; altering the purposes of the 9–1–1 Trust Fund;
12 prohibiting the Fund from being used for a certain purpose; prohibiting a county
13 from spending certain funds distributed from a certain State 9–1–1 fee in a certain
14 manner; requiring the designee of a county or municipality to be responsible for
15 enforcing certain provisions of law relating to the installation and operation of
16 certain multiple-line telephone systems; requiring the Office of the State Fire
17 Marshal to be responsible for enforcing certain provisions of law relating to the
18 installation and operation of certain multiple-line telephone systems under certain
19 circumstances; requiring the terms of certain members of the Board to terminate on
20 a certain date; specifying the terms of certain initial members of the Board; requiring
21 the Behavioral Health Administration in the Maryland Department of Health, in
22 consultation with the Workers' Compensation Commission and the Board, to conduct
23 a certain study; requiring the Department, on or before a certain date, to report its
24 findings and recommendations to the Governor, the Board, the Commission to
25 Advance Next Generation 9–1–1 Across Maryland, and the General Assembly;
26 repealing an obsolete provision of law; making a certain stylistic change; and
27 generally relating to 9–1–1 emergency telephone systems.

28 BY repealing and reenacting, without amendments,
29 Article – Public Safety
30 Section 1–301(a), (c), (d), (l), (m), and (t), 1–305(a), 1–306(a), and 1–308(a)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.



1 Annotated Code of Maryland
2 (2018 Replacement Volume and 2020 Supplement)

3 BY adding to
4 Article – Public Safety
5 Section 1–304.3 and 1–306(b)(17)
6 Annotated Code of Maryland
7 (2018 Replacement Volume and 2020 Supplement)

8 BY repealing and reenacting, with amendments,
9 Article – Public Safety
10 Section 1–305(b), 1–306(b)(15) and (16) and (e), 1–308(b), 1–309(c), 1–312(a), and
11 1–314
12 Annotated Code of Maryland
13 (2018 Replacement Volume and 2020 Supplement)

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

16 **Article – Public Safety**

17 1–301.

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

19 (c) “Commercial mobile radio service” or “CMRS” means mobile
20 telecommunications service that is:

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

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

24 (3) available to the public.

25 (d) “Commercial mobile radio service provider” or “CMRS provider” means a
26 person authorized by the Federal Communications Commission to provide CMRS in the
27 State.

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

31 (m) (1) “9–1–1 service carrier” means a provider of CMRS or other
32 9–1–1–accessible service.

33 (2) “9–1–1 service carrier” does not include a telephone company.

- 1 (t) "Public safety answering point" means a communications facility that:
- 2 (1) is operated on a 24-hour basis;
- 3 (2) first receives 9-1-1 requests for emergency services in a 9-1-1 service
4 area; and
- 5 (3) as appropriate:
- 6 (i) dispatches public safety services directly;
- 7 (ii) transmits incident data to appropriate public safety agencies
8 within the State for the dispatch of public safety services; or
- 9 (iii) transfers 9-1-1 requests for emergency services or transmits
10 incident data to:
- 11 1. an appropriate federal emergency communication center
12 responsible for the delivery of public safety services on a federal campus or federal
13 reservation; or
- 14 2. an appropriate public safety answering point located
15 within or outside the State.

16 **1-304.3.**

17 **IN THE EVENT OF A PARTIAL OR TOTAL SINGLE COUNTY OR MULTICOUNTY**
18 **9-1-1-ACCESSIBLE SERVICE OUTAGE LASTING MORE THAN 30 MINUTES, A CMRS**
19 **PROVIDER OR 9-1-1 SERVICE CARRIER SHALL:**

20 **(1) AS SOON AS PRACTICABLE, NOTIFY ANY AFFECTED PUBLIC**
21 **SAFETY ANSWERING POINT AND THE MARYLAND JOINT OPERATIONS CENTER OF**
22 **THE 9-1-1-ACCESSIBLE SERVICE OUTAGE OCCURRING ON THE PROVIDER'S OR**
23 **CARRIER'S NETWORK; AND**

24 **(2) IN ADVANCE OF THE NEXT SCHEDULED MEETING OF THE BOARD,**
25 **NOTIFY THE BOARD OF ANY 9-1-1-ACCESSIBLE SERVICE OUTAGE OCCURRING ON**
26 **THE PROVIDER'S OR CARRIER'S NETWORK.**

27 **1-305.**

28 (a) There is a Maryland 9-1-1 Board in the Department of Public Safety and
29 Correctional Services.

30 (b) (1) The Board consists of [17] 24 members.

1 (2) Of the ~~[17]~~ **24** members:

2 (i) one NONVOTING member shall represent a telephone company
3 operating in the State;

4 (ii) one NONVOTING member shall represent the wireless telephone
5 industry in the State;

6 **(III) ONE NONVOTING MEMBER SHALL REPRESENT THE**
7 **MARYLAND EMERGENCY MANAGEMENT AGENCY;**

8 ~~[(iii)]~~ **(IV)** one member shall represent the Maryland Institute for
9 Emergency Medical Services Systems;

10 ~~[(iv)]~~ **(V)** one member shall represent the Department of State
11 Police;

12 ~~[(v)]~~ **(VI)** one member shall represent the Public Service
13 Commission;

14 ~~[(vi)]~~ **(VII)** one member shall represent the Association of
15 Public-Safety Communications Officials International, Inc.;

16 ~~[(vii)]~~ **(VIII)** two members shall represent county fire services in the
17 State, with one member representing career fire services and one member representing
18 volunteer fire services;

19 ~~[(viii)]~~ **(IX)** one member shall represent ~~[police services]~~ **LAW**
20 **ENFORCEMENT** in the State;

21 ~~[(ix)]~~ **(X)** ~~[two members]~~ **ONE MEMBER** shall represent emergency
22 management services in the State;

23 ~~[(x)]~~ one member shall represent a county with a population of
24 200,000 or more;

25 ~~[(xi)]~~ one member shall represent a county with a population of less
26 than 200,000;]

27 **(XI) ONE MEMBER SHALL REPRESENT 9-1-1 SPECIALISTS;**

28 **(XII) ONE MEMBER SHALL BE APPOINTED BY THE SECRETARY OF**
29 **DISABILITIES AND REPRESENT INDIVIDUALS WITH ACCESSIBILITY NEEDS;**

1 (XIII) ONE MEMBER SHALL REPRESENT THE EMERGENCY
2 COMMUNICATIONS COMMITTEE OF THE MARYLAND ASSOCIATION OF COUNTIES;

3 (XIV) ONE MEMBER SHALL REPRESENT DIRECTORS OF PUBLIC
4 SAFETY ANSWERING POINTS FOR ALLEGANY COUNTY, GARRETT COUNTY, AND
5 WASHINGTON COUNTY;

6 (XV) ONE MEMBER SHALL REPRESENT DIRECTORS OF PUBLIC
7 SAFETY ANSWERING POINTS FOR CALVERT COUNTY, CHARLES COUNTY,
8 FREDERICK COUNTY, MONTGOMERY COUNTY, PRINCE GEORGE'S COUNTY, AND
9 ST. MARY'S COUNTY;

10 (XVI) ONE MEMBER SHALL REPRESENT DIRECTORS OF PUBLIC
11 SAFETY ANSWERING POINTS FOR ANNE ARUNDEL COUNTY, BALTIMORE CITY,
12 BALTIMORE COUNTY, CARROLL COUNTY, HARFORD COUNTY, AND HOWARD
13 COUNTY;

14 (XVII) ONE MEMBER SHALL REPRESENT DIRECTORS OF PUBLIC
15 SAFETY ANSWERING POINTS FOR CAROLINE COUNTY, CECIL COUNTY,
16 DORCHESTER COUNTY, KENT COUNTY, QUEEN ANNE'S COUNTY, SOMERSET
17 COUNTY, TALBOT COUNTY, WICOMICO COUNTY, AND WORCESTER COUNTY;

18 (XVIII) ONE MEMBER SHALL REPRESENT THE CYBERSECURITY
19 SYSTEMS IN THE STATE, PARTICULARLY IN THE FIELD OF EMERGENCY
20 COMMUNICATION NETWORKS;

21 (XIX) ONE MEMBER SHALL REPRESENT A COUNTY FINANCE
22 OFFICE IN THE STATE AND BE RECOMMENDED BY THE MARYLAND ASSOCIATION OF
23 COUNTIES;

24 [(xii)] (XX) one member shall represent the Maryland chapter of the
25 National Emergency Numbers Association;

26 [(xiii)] (XXI) one member shall represent the geographical information
27 systems in the State; and

28 [(xiv)] (XXII) two members shall represent the public.

29 (3) The Governor shall appoint the members with the advice and consent
30 of the Senate.

31 1-306.

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

(b) The Board's responsibilities include:

(15) establishing training standards for public safety answering point personnel based on national best practices, including training concerning Next Generation 9-1-1 topics **AND INDIVIDUAL PSYCHOLOGICAL WELL-BEING AND RESILIENCE**; [and]

(16) establishing minimum standards for cybersecurity, oversight, and accountability of service level agreements between counties and core service providers of Next Generation 9-1-1 services; **AND**

(17) SUPPORTING 9-1-1 SPECIALIST RECRUITMENT ACTIVITIES CONSISTING OF:

(I) A DATABASE THAT OFFERS INFORMATION ON RECRUITMENT GUIDANCE, BEST PRACTICES, AND STRATEGIES;

(II) RECRUITMENT PROJECTS; AND

(III) A WEBSITE THAT CONTAINS LINKS TO JOB OPPORTUNITIES THROUGHOUT THE STATE FOR 9-1-1 SPECIALISTS.

(e) (1) The standards established by the Board under subsection (b)(15) of this section shall include **ONBOARDING STANDARDS FOR NEWLY HIRED 9-1-1 SPECIALISTS AND** minimum continuing education standards for 9-1-1 specialists.

(2) (i) At least once each year, the Board shall provide for an audit of each public safety answering point in order to ensure that 9-1-1 specialists and other personnel employed by the public safety answering point have satisfied the training requirements established in accordance with subsection (b)(15) of this section.

(ii) The audit described under subparagraph (i) of this paragraph may be conducted concurrently with an inspection of the public safety answering point in accordance with subsection (b)(10) of this section.

1-308.

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

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

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

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

1 (iii) fund the coordinator position and staff to handle the increased duties
2 related to wireless enhanced 9-1-1 service under § 1-305 of this subtitle, as an
3 administrative cost.

4 (2) Subject to paragraph (3) of this subsection [and beginning January 1,
5 2020], in addition to the purposes described under paragraph (1) of this subsection, the
6 purposes of the 9-1-1 Trust Fund include **FUNDING**:

7 (i) [funding] the operation and maintenance of 9-1-1 systems,
8 enhanced 9-1-1 systems, and Next Generation 9-1-1 services, including:

9 1. equipment and software utilized directly for providing
10 9-1-1 services by a public safety answering point;

11 2. protocol systems and software utilized directly for
12 providing 9-1-1 services by a public safety answering point;

13 3. interpretation services provided for a public safety
14 answering point;

15 4. services provided for a public safety answering point to
16 ensure improved access to individuals with disabilities and other individuals who use
17 assistive technology; and

18 5. voice, data, and call log recorders utilized to capture
19 information from 9-1-1 systems, enhanced 9-1-1 systems, and Next Generation 9-1-1
20 services;

21 (ii) [funding] the operation and maintenance of 9-1-1 systems,
22 enhanced 9-1-1 systems, and Next Generation 9-1-1 services connectivity and
23 infrastructure equipment, including:

24 1. automatic number and location identification; and

25 2. Primary Rate Interface and Session Initiation Protocol
26 trunking for 10-digit emergency and nonemergency lines;

27 (iii) [funding] geographical information systems hardware, software,
28 data development, and data management costs incurred for the effective operation of
29 9-1-1 systems, enhanced 9-1-1 systems, and Next Generation 9-1-1 services, including:

30 1. mapping equipment;

31 2. interfaces to computer-aided dispatch; and

32 3. geographical information systems base layer development

1 and management;

2 (iv) [funding] public safety answering point facilities costs, including
3 access control, security systems, and standby power;

4 (v) [funding] costs for public education materials;

5 (vi) [funding] the training of county personnel working in or directly
6 supporting a public safety answering point;

7 (vii) [funding] the provision of tuition reimbursement for 9-1-1
8 specialists for educational programs related to the 9-1-1 specialist career field; [and]

9 (viii) [funding] costs to maintain the cybersecurity of 9-1-1 systems,
10 enhanced 9-1-1 systems, and Next Generation 9-1-1 services; AND

11 (IX) COSTS OF 9-1-1 SPECIALIST RECRUITMENT ACTIVITIES AS
12 DESCRIBED IN § 1-306(B)(17) OF THIS SUBTITLE.

13 (3) Funding allocated in accordance with paragraph (2) of this subsection
14 may not be utilized for:

15 (I) the payment of the salary of public safety answering point
16 personnel or county personnel; OR

17 (II) ANY PURPOSE ASSOCIATED WITH THE 9-8-8 SUICIDE
18 PREVENTION HOTLINE.

19 1-309.

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

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

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

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

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

26 and

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

29 (3) Money collected from the county 9-1-1 fee may be used by the counties

1 only for the maintenance and operation costs of the 9-1-1 system.

2 (4) Money collected from the prepaid wireless E 9-1-1 fee shall be used as
3 follows:

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

6 (ii) 75% for the same purpose as the county 9-1-1 fee under
7 paragraph (3) of this subsection, prorated on the basis of the total fees collected in each
8 county.

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

10 (I) the maintenance or operation of communications centers other
11 than public safety answering points; **OR**

12 (II) **ANY PURPOSE ASSOCIATED WITH THE 9-8-8 SUICIDE**
13 **PREVENTION HOTLINE.**

14 1-312.

15 (a) (1) During each county's fiscal year, the county may spend the amounts
16 distributed to it from State 9-1-1 fee collections for the installation, enhancement,
17 maintenance, and operation of a county or multicounty 9-1-1 system.

18 (2) **A COUNTY MAY NOT SPEND THE AMOUNTS DISTRIBUTED TO IT**
19 **FROM STATE 9-1-1 FEE COLLECTIONS FOR ANY PURPOSE ASSOCIATED WITH**
20 **THE 9-8-8 SUICIDE PREVENTION HOTLINE.**

21 1-314.

22 (a) In this section, "multiple-line telephone system" means a system that:

23 (1) consists of common control units, telephone sets, control hardware and
24 software, and adjunct systems, including network and premises-based systems; and

25 (2) is designed to aggregate more than one incoming voice communication
26 channel for use by more than one telephone.

27 (b) (1) Except as provided in paragraph (2) of this subsection, a person that
28 installs or operates a multiple-line telephone system shall ensure that the system is
29 connected to the public switched telephone network in such a way that when an individual
30 using the system dials 9-1-1, the call connects to the public safety answering point without
31 requiring the user to dial any other number or set of numbers.

1 (2) A unit of the Executive Branch of State government shall comply with
2 paragraph (1) of this subsection on the date that the multiple-line telephone system of the
3 unit is next upgraded.

4 (c) (1) Notwithstanding any other provision of this subtitle **AND EXCEPT AS**
5 **PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION**, a [county] COUNTY'S or
6 [municipality] MUNICIPALITY'S DESIGNEE shall be responsible for enforcing subsection
7 (b) of this section.

8 (2) **IN THE ABSENCE OF A COUNTY- OR MUNICIPALITY-DESIGNATED**
9 **ENFORCEMENT UNIT, THE OFFICE OF THE STATE FIRE MARSHAL, INCLUDING THE**
10 **STATE FIRE MARSHAL, AN ASSISTANT STATE FIRE MARSHAL, OR A SPECIAL**
11 **ASSISTANT STATE FIRE MARSHAL, SHALL BE RESPONSIBLE FOR ENFORCING**
12 **SUBSECTION (B) OF THIS SECTION.**

13 (d) (1) Each county or municipality may set a fine or series of fines to be issued
14 to a person that violates subsection (b) of this section.

15 (2) Revenue collected under paragraph (1) of this subsection shall be
16 returned to the county or municipality taking the enforcement action.

17 (e) When a county submits a request for disbursements from the 9-1-1 Trust
18 Fund in accordance with § 1-309 of this subtitle, the county shall submit to the Board a
19 certification of the enforcement actions taken by the county under this section.

20 SECTION 2. AND BE IT FURTHER ENACTED, That, to implement the change in
21 composition of the Maryland 9-1-1 Board under § 1-305(b)(2) of the Public Safety Article,
22 as enacted by Section 1 of this Act:

23 (1) the terms of the members representing the emergency management
24 services in the State serving on the Maryland 9-1-1 Board before the effective date of this
25 Act shall terminate June 1, 2021; and

26 (2) the Governor may reappoint a member of the Maryland 9-1-1 Board
27 who served before the effective date of this Act in order to ensure a level of continuity within
28 the membership of the Board.

29 SECTION 3. AND BE IT FURTHER ENACTED, That the terms of the 11 initial
30 members of the Maryland 9-1-1 Board provided for in § 1-305(b)(2) of the Public Safety
31 Article, as enacted by Section 1 of this Act, shall expire as follows:

32 (1) two members in 2021;

33 (2) three members in 2022;

34 (3) three members in 2023; and

1 (4) three members in 2024.

2 SECTION 4. AND BE IT FURTHER ENACTED, That:

3 (a) (1) The Behavioral Health Administration in the Maryland Department of
4 Health, in consultation with the State Workers' Compensation Commission and the
5 Maryland 9-1-1 Board, shall study the State's workers' compensation laws and the effects
6 of job-related audible or visual trauma experienced by 9-1-1 specialists, as defined in §
7 1-301 of the Public Safety Article, for the purpose of determining:

8 (i) whether audible or visual trauma, including trauma incurred
9 through Next Generation 9-1-1 services, as defined in § 1-301 of the Public Safety Article,
10 culminates in impaired mental wellness, emotional awareness, or cognitive function; and

11 (ii) whether the State's workers' compensation laws should be
12 amended for the purpose of establishing benefit eligibility for 9-1-1 specialists who have
13 been directly or indirectly exposed to job-related audible or visual trauma.

14 (2) The study shall include a survey of the workers' compensation laws of
15 other states and a review of policy recommendations by advocacy groups with relevant
16 subject matter expertise.

17 (b) On or before August 1, 2021, the Behavioral Health Administration shall
18 submit a report on its findings and recommendations to the Governor,
19 the Maryland 9-1-1 Board, the Commission to Advance Next Generation 9-1-1 Across
20 Maryland, and, in accordance with § 2-1257 of the State Government Article, the General
21 Assembly.

22 SECTION 5. AND BE IT FURTHER ENACTED, That this Act shall take effect June
23 1, 2021.