



Sub. H.B. 152

123rd General Assembly
(As Passed by the General Assembly)

Reps. Logan, Krupinski

**Sens. Blessing, Drake, Mumper, Herington, McLin, DiDonato, Carnes,
Hagan, Kearns, Schafrath**

Effective date: *

ACT SUMMARY

- Authorizes the imposition of a maximum 50¢ monthly charge on telephone access lines in a county to fund the operating and equipment costs of establishing and maintaining no more than one public safety answering point (PSAP) of a countywide 9-1-1 system that previously lacked funding.
- Permits the PSAP of another countywide 9-1-1 system to serve as the PSAP for a countywide 9-1-1 system funded through a monthly charge imposed under the act.

CONTENT AND OPERATION

The act generally provides a county with additional means to fund one PSAP to receive and route calls as part of a countywide 9-1-1 emergency telephone system. It authorizes the imposition of a monthly charge on telephone access lines in the county, which is collected by the telephone companies involved. The companies are compensated for remitting collected amounts to the county.

* *The Legislative Service Commission had not received formal notification of the effective date at the time this analysis was prepared.*

Existing funding mechanisms for PSAPs

(secs. 4931.40 to 4931.43)

Under existing law, a subdivision that operates a PSAP must pay all the costs associated with establishing, equipping, furnishing, operating, and maintaining that facility. Generally, the subdivision must allocate those costs among itself and the subdivisions served by the PSAP based on an allocation formula specified in a final plan that must be adopted to establish a countywide system. Each subdivision served by a PSAP is required to pay the amount computed under the allocation formula. The specified procedures and requisite approvals for adopting a final plan are not changed by the act.

Subdivisions fund their shares of PSAP costs through general funds and special funding mechanisms provided in existing law. These mechanisms consist of the following:

(1) Subdivisions, including counties, may seek voter approval of a tax on real and personal property located within the subdivision for the express purpose of establishing and operating a 9-1-1 system (sec. 5705.19(BB));

(2) A county may fund the costs of establishing, equipping, and furnishing, or operating and maintaining, PSAPs through a special assessment on improved real property in the county (sec. 4931.51);

(3) A county may fund the costs of implementing and operating PSAPs through a five-year, 1/4 or 1/2 of 1% county sales tax or an increase of that tax to 1/2 of 1% (sec. 5739.026(A)(6));

(4) A county that has failed to receive approval of its final 9-1-1 plan, at least once, or has not implemented the plan due to a lack of funding and that has failed to get voter approval of one of the authorized funding methods listed in (1) to (3), above, may fund the necessary equipment costs of establishing and maintaining not more than three PSAPs for a countywide 9-1-1 system, through a monthly charge, not exceeding 50¢ on each residential and business access line in the county. The PSAPs must be 24-hour dispatching points already existing in the county. The monthly charge is billed and collected through each telephone company serving the 9-1-1 system, and the company is permitted to retain 3% of any charge it collects as compensation for the cost of collection. (Secs. 4931.52 and 4931.54.)

Additional funding mechanism for a PSAP

(secs. 4931.53 and 4931.54)



The act authorizes a board of county commissioners of any county for which a 9-1-1 final plan has not been approved, or has been approved but has not been implemented because of a lack of funding, to impose a monthly charge, subject to voter approval, for the purposes of paying for the operating and equipment costs of establishing and maintaining no more than one PSAP for a countywide 9-1-1 system. If imposed, the charge cannot exceed 50¢ per month, on each residential and business customer access line or its equivalent within the area of the county served by the 9-1-1 system. Money raised from the monthly charge must be deposited into a special fund of the county treasury, to be used solely for the purposes for which it was collected. The county may seek Public Utilities Commission assistance in operating and maintaining the 9-1-1 system.

To impose the monthly charge described above, the board must adopt a resolution that states the amount of the charge and the month it first will be imposed, which cannot be any sooner than four months after a special election called for in the resolution. Before adopting the resolution, the board must hold at least two public hearings on the proposed charge, and publish notice of the hearings before the first hearing, once a week for two consecutive weeks in a newspaper of general circulation in the county. The notice must state the amount of the proposed charge, an explanation of the necessity for the charge, and the date, time, and location of each public hearing.

The resolution must direct the board of elections to submit the question of imposing the charge to the electors of the county at a special election on the day of the next primary or general election in the county. The board of county commissioners must certify a copy of the resolution to the board of elections not less than 75 days before the day of the special election. The act prohibits a resolution from taking effect unless approved by a majority of the electors voting on it at the special election.

The act authorizes the board of county commissioners to impose in any year a lesser charge than the amount originally approved by the electors. It prohibits a board from changing the amount of the charge more than once per year. It also prohibits a board from imposing a charge greater than the amount approved by the electors without first holding an election on the question of the greater charge.

The act specifies that nothing in it or existing 9-1-1 law precludes a final plan from being amended to provide that, by agreement included in the plan, a PSAP of another countywide 9-1-1 system is the PSAP of a countywide 9-1-1 system funded through a monthly charge imposed under the act. In that event, the county for which the PSAP is provided will be deemed the subdivision operating the PSAP, except that, for the purpose of continuing 9-1-1 law regarding paying the costs of operating the PSAP, the county must pay only so much of the costs



associated with establishing, equipping, furnishing, operating, or maintaining the PSAP specified in the agreement that is included in the final plan.

The act provides that, pursuant to voter approval of a monthly charge, the final plan that establishes the countywide 9-1-1 system, or that includes an agreement to use the PSAP of another countywide 9-1-1 system, must be amended by the existing 9-1-1 planning committee, but that amendment is not subject to the approval procedure (in existing sec. 4931.45(A)) that ordinarily applies to an amendment of a final plan.

The act's provision regarding liability for the 50¢ monthly charge, collection by a telephone company, quarterly remittance to the county, and retention by the telephone company of 3% of the charge as compensation for collection, parallel existing law (sec. 4931.52) applicable to such billing and collection.

HISTORY

ACTION	DATE	JOURNAL ENTRY
Introduced	02-08-99	p. 170
Reported, H. Public Utilities	01-25-00	pp. 1541-1542
Passed House (88-8)	01-26-00	pp. 1562-1563
Reported, S. Ways & Means	03-29-00	p. 1537
Passed Senate (33-0)	04-04-00	pp. 1550-1551
House concurred (92-5)	04-11-00	pp. 1784-1785

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