



Ohio Legislative Service Commission

Synopsis of Senate Committee Amendments*

Kathleen Luikart

Am. Sub. H.B. 360 129th General Assembly (S. Energy & Public Utilities)

Wireless 9-1-1 charges and funds

Changes the charge for wireless 9-1-1 from \$0.28 to \$0.25, removes the expiration date for the charge, and makes the change and removal effective on the bill's effective date, which is immediate.

Eliminates the existing prepaid wireless 9-1-1 charge, for a period beginning on the bill's effective date, which is immediate, and ending on July 1, 2013.

Creates a new prepaid wireless 9-1-1 charge of 0.50% and sets July 1, 2013, as the beginning date for the new prepaid wireless charge.

Prohibits imposing the wireless 9-1-1 charge on a wireless lifeline service provider.

Specifies that, unless excused by the Tax Commissioner, returns showing wireless 9-1-1 and prepaid wireless 9-1-1 collections be filed electronically using the Ohio business gateway, the Ohio telefile system, or any other electronic means prescribed by the Tax Commissioner in a manner approved by the Tax Commissioner.

Modifies the Wireless 9-1-1 administrative fund to permit the Department of Public Safety and the Department of Taxation to each receive 1% of the wireless 9-1-1 charges to cover their costs in carrying out their duties regarding 9-1-1 service.

Requires the Tax Commissioner and the Director of Public Safety, after paying administrative costs, to transfer any excess funds remaining in the Wireless 9-1-1 Administrative Fund to the Wireless 9-1-1 Government Assistance Fund.

Creates the Next Generation 9-1-1 Fund and requires the Steering Committee to establish guidelines for the Tax Commissioner to use when disbursing money from the fund and specifies that the disbursements may be used for costs associated with the

* This synopsis does not address amendments that may have been adopted on the Senate Floor.

operation of and equipment for phase II wireless systems and for costs for a migration to Next Generation 9-1-1 systems and technology.

On and after July 1, 2013, maintains the level of disbursements from the wireless 9-1-1 Government Assistance Fund to counties for 9-1-1 services at the same level as disbursed in 2012 and requires that the balance of remittances from wireless charges to be deposited in the Next Generation 9-1-1 Fund.

Permits the Auditor of State to audit and review each county's expenditure of funds disbursed to the county from the Wireless 9-1-1 Government Assistance Fund.

Administrative transfer of 9-1-1

Transfers 9-1-1 law from the Public Utilities Commission (PUCO) to the Department of Public Safety and the Department of Taxation and creates new Chapter 5507.

Transfers the Ohio 9-1-1 Coordinator to the Department of Public Safety and limits the Coordinator's duties.

Transfers from the Ohio 9-1-1 Coordinator to the Tax Commissioner the authority to order disbursements from the Wireless 9-1-1 Government Assistance Fund.

Authorizes the Tax Commissioner, instead of the PUCO which has authority under current law, to determine just, reasonable, and compensatory rates, tolls, classifications charges or rentals for the wireline telephone network portion of a basic or enhanced 9-1-1 system.

Requires telephone companies to file the Tax Commissioner-set rates with the Public Utilities Commission.

Requires the Department of Public Safety to determine whether a telephone company is capable of reasonably meeting the technical and economic requirements of providing the wireline telephone network portion of the countywide 9-1-1 system.

Grants rule-making authority under the Administrative Procedure Act to the Tax Commissioner and the Director of Public Safety, to be exercised in consultation with each other, to carry out Ohio's 9-1-1 law.

Statewide Emergency Services Internet Protocol Network Steering Committee

Requires the Statewide Emergency Services Internet Protocol Network Steering Committee, by January 1, 2014, to adopt rules that incorporate industry standards and

best practices for wireless 9-1-1 services and establish technical and operational standards for public safety answering points (PSAPs) that are eligible to receive disbursements for 9-1-1 services.

Specifies that PSAPs must comply with the standards not later than two years after the rules become effective.

Requires each chairperson of a countywide 9-1-1 planning committee or the chairperson's designee to report specific 9-1-1 information to the Statewide Emergency Services Internet Protocol Network Steering Committee by February 15, 2013, and requires the Tax Commissioner to suspend disbursements from the Wireless 9-1-1 Government Assistance Fund to a county if it fails to provide the information to the Steering Committee.

Changes the report deadline for the Statewide Emergency Services Internet Protocol Network Steering Committee from November 15, 2012, to May 15, 2013.

Specifies that the Steering Committee report may include recommendations for a reduction in wireless 9-1-1 charges and for accelerating the schedule for consolidation of Public Safety Answering Points within a county.

Requires the Steering Committee to establish guidelines for the Tax Commissioner to use when disbursing money to counties from the Next Generation 9-1-1 Fund, which guidelines must be consistent with the PSAP technical and operations standards and specify for what the funds may be used.

PSAPs

Specifies that no county may receive disbursements from the Wireless 9-1-1 Government Assistance Fund or the Next Generation 9-1-1 Fund unless the PSAP, meet the standards adopted by the Steering Committee.

Reduces the number of PSAPs for which a countywide 9-1-1 system may use disbursements from wireless 9-1-1 charges to not more than four per calendar year, for the period of January 1, 2016 to December 31, 2017, and to not more than three per calendar year, for the period of January 1, 2018 and thereafter.

Specifies that if within a county there is a municipal corporation with a population of over 175,000, that county may use disbursements from wireless 9-1-1 charges for one additional PSAP.

Reduces by 50% disbursements to counties that exceed the allowable number of PSAPs under the bill until the county complies with the PSAP limitation.

Effective date of bill

Adds an emergency clause.

H0360-129.docx/rs

12/05/12