

House Bill 423 (AS PASSED HOUSE AND SENATE)

By: Representatives Wade of the 9th, Donatucci of the 105th, Reeves of the 99th, Silcox of the 53rd, Hilton of the 48th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 12 of Chapter 3 of Title 38 and Part 4 of Article 2 of Chapter 5 of Title 46
2 of the Official Code of Georgia Annotated, relating to emergency communications authority
3 and emergency telephone number 9-1-1 system, respectively, so as to provide for Next
4 Generation 9-1-1 systems and services; to revise and provide for definitions; to revise the
5 duties and responsibilities of the Georgia Emergency Communications Authority as relevant
6 to Next Generation 9-1-1 systems and services; to add members to the board of directors of
7 such authority; to require all new 9-1-1 systems conform to wireless enhanced 9-1-1 service
8 or NG9-1-1 service standards; to revise the role of the executive director of the authority; to
9 provide for related matters; to repeal conflicting laws; and for other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 **PART I**
12 **SECTION 1-1.**

13 Article 12 of Chapter 3 of Title 38 of the Official Code of Georgia Annotated, relating to
14 emergency communications authority, is amended by revising Code Section 38-3-181,
15 relating to definitions, as follows:

H. B. 423

16 "38-3-181.

17 As used in this article, the term:

18 (1) 'Authority' means the Georgia Emergency Communications Authority established
19 pursuant to Code Section 38-3-182.

20 (2) 'Board of directors' or 'board' means the governing body of the authority.

21 (2.1) 'Commonly accepted standards' means the technical standards followed by the
22 communications industry for network, device, and internet protocol connectivity that
23 enables interoperability. Such standards are developed and approved by a standards
24 development organization that is accredited by an American standards body, such as the
25 Association of Public-Safety Communications Officials, the Internet Engineering Task
26 Force, or the National Emergency Number Association.

27 (2.2) 'Emergency medical dispatch' means the management of requests for emergency
28 medical assistance by utilizing a system of:

29 (A) A tiered response or priority dispatching of emergency medical resources based
30 on the level of medical assistance appropriate for the victim; and

31 (B) Prearrival first aid or other medical instructions given by trained
32 telecommunicators responsible for receiving 9-1-1 calls and dispatching public safety
33 agencies.

34 (3) 'Emergency 9-1-1 system' or '9-1-1 system' has the same meaning as ~~provided~~ set
35 forth in Code Section 46-5-122.

36 (4) 'Enhanced ZIP Code' has the same meaning as ~~provided~~ set forth in Code Section
37 46-5-122.

38 (4.1) 'ESInet' means a state emergency services IP network which is an NG9-1-1 network
39 contracted by the Georgia Emergency Communications Authority to one or more
40 NG9-1-1 system providers for the purpose of securely receiving 9-1-1 requests for
41 emergency assistance, transferring 9-1-1 requests for emergency assistance and all

42 associated data, providing centralized network management and security monitoring, and
43 enabling call routing using GIS data.

44 (4.2) 'Geographic information systems data' or 'GIS data' means digital geospatial
45 information that can be used to assist in locating a person who places a 9-1-1 request for
46 emergency assistance, including, but not limited to, mapped data sets, such as public
47 safety answering point boundaries; boundaries; site structure address points; road
48 centerlines; emergency service boundaries; and other additional data.

49 (5) 'Local government' means a county, municipality, regional authority, or consolidated
50 government in this state that operates or contracts for the operation of a public safety
51 answering point and has adopted a resolution or ordinance pursuant to Code
52 Section 46-5-133 to impose 9-1-1 charges under Code Section 46-5-134.

53 (5.1) 'Next Generation core services' means services required to deliver secure,
54 interoperable, multimedia-capable services to public safety answering points, seamlessly
55 and without the need for proprietary interfaces.

56 (6) 'Next Generation 9-1-1' or 'NG911' 'NG9-1-1' is a secure, nationwide, interoperable,
57 standards-based, all Internet protocol emergency communications infrastructure enabling
58 end-to-end transmission of all types of data, including, but not limited to, voice and
59 multimedia communications from the public to a public safety answering point. means
60 an internet protocol based system that:

61 (A) Ensures interoperability;

62 (B) Is secure;

63 (C) Provides resiliency and redundancy;

64 (D) Employs commonly accepted standards;

65 (E) Enables 9-1-1 public safety answering points to receive, process, and analyze all
66 types of 9-1-1 requests for emergency assistance;

67 (F) Acquires and integrates additional information useful for handling 9-1-1 requests
68 for emergency assistance; and

(G) Supports the sharing of information related to 9-1-1 requests for emergency assistance among public safety answering points and emergency response providers.

(6.1) 'Next Generation 9-1-1 system provider' or 'NG9-1-1 system provider' means an entity that provides a Next Generation 9-1-1 system to a public safety answering point.

(7) '9-1-1 charge' has the same meaning as provided set forth in Code Section 46-5-122.

(7.1) '9-1-1 request for emergency assistance' means a communication, such as voice, text, picture, multimedia, or any other type of data, that is sent to a 9-1-1 public safety answering point for the purpose of requesting emergency assistance.

(8) 'Primary public safety answering point' means the first point of reception of a 9-1-1 request for emergency assistance by a facility that has been designated to receive 9-1-1 requests for emergency assistance and route such requests to emergency service personnel as defined in 47 U.S.C.A. Section 222.

~~(8)~~(8.1) 'Public safety answering point' has the same meaning as provided set forth in Code Section 46-5-122.

(9) 'Service supplier' has the same meaning as provided set forth in Code Section 46-5-122.

(10) 'Telephone subscriber' has the same meaning as provided set forth in Code Section 46-5-122.

(11) 'Wireless enhanced 9-1-1 charge' has the same meaning as provided set forth in Code Section 46-5-122."

SECTION 1-2.

Said article is further amended by revising subsection (c) and paragraph (1) of subsection (d) of Code Section 38-3-182, relating to establishment of the Georgia Emergency Communications Authority, purpose, duties and responsibilities, board of directors, perpetual existence, power and authority, operation, and regulation, as follows:

"(c) In addition to the purposes specified in subsection (b) of this Code section, the authority shall have the duties and responsibilities to:

(1) Apply for, receive, and use federal grants or state grants or both;

(2) Study, evaluate, ~~and recommend, and enforce~~ technology standards commonly accepted standards ~~for a state-wide NG9-1-1 system the regional and state-wide provision of a public safety communications network and 9-1-1 system;~~

(3) Identify any changes necessary to accomplish more effective and efficient 9-1-1 service across this state, including consolidation and interoperability of 9-1-1 systems;

(4) Identify any changes necessary in the assessment and collection of fees under Part 4 of Article 2 of Chapter 5 of Title 46;

(5) Develop, offer, or make recommendations to the Georgia Public Safety Training Center, Georgia Peace Officer Standards and Training Council, and other state agencies as to training that should be provided to telecommunicators, trainers, supervisors, and directors of public safety answering points;

(6) Recommend minimum standards for operation of public safety answering points;

(7) Collect data and statistics regarding the performance of public safety answering points;

(8) Identify any necessary changes or enhancements to develop and deploy ~~NG911~~ NG9-1-1 statewide state wide; ~~and~~

(9) Upon request by a public safety answering point, provide assistance to such public safety answering point with its locally managed processes to be regarded as Logan's List: the collection, storage, retrieval, and dissemination of information voluntarily submitted to a public safety answering point which indicates an individual has a physical, mental, or neurological condition which impedes his or her ability to communicate with any law enforcement officer or emergency responder;

(10) Administer the deployment of a 9-1-1 service for emerging communications technologies, including, but not limited to, the state ESInet and Next Generation core services;

(11) Establish and operate a network management center in coordination with cybersecurity subject matter experts to protect the state ESInet, Next Generation core services, and public safety answering points;

(12) Monitor the state ESInet performance and service provider adherence to commonly accepted standards;

(13) Establish cooperative purchasing agreements or other contracts for the procurement of goods and services, including, but not limited to, call-handling equipment, computer aided dispatch, data management, and logging recorders;

(14) Coordinate, adopt, and communicate all necessary technical standards and requirements to ensure an effective state-wide interconnected and interoperable state ESInet;

(15) Coordinate, adopt, and communicate all necessary technical standards and requirements for GIS data related to NG9-1-1;

(16) Collect, manage, and analyze 9-1-1 requests for emergency assistance data delivered to the state ESInet for the purpose of monitoring state ESInet and Next Generation core services performance;

(17) Coordinate outreach and education programs on how the public and emergency response providers can best use NG9-1-1 and the capabilities and usefulness of NG9-1-1;

(18) Coordinate with rural and urban 9-1-1 public safety answering points, regional authorities, local authorities, and other relevant stakeholders to develop a plan for the implementation of NG9-1-1;

(19) Coordinate with rural and urban 9-1-1 public safety answering points, regional authorities, local authorities, and other relevant stakeholders to prepare and submit applications for eligible grant funding related to NG9-1-1;

(20) Promote interoperability between 9-1-1 public safety answering points that are deploying or have deployed Next Generation 9-1-1 and emergency response providers, including users of the nation-wide public safety broadband network;

(21) Coordinate with adjoining states, Native American tribes, and federal entities to establish and maintain NG9-1-1; and

(22) Develop recommendations for the most efficient and effective short-term and long-term implementation and maintenance of NG9-1-1.

(d)(1) Control and management of the authority shall be vested in a board of directors which shall consist of the following:

(A) The commissioner of public safety or his or her designee;

(B) The commissioner of revenue or his or her designee;

(C) The director of the Georgia Public Safety Training Center or his or her designee;

(D) Three members appointed by the Governor who shall be 9-1-1 directors, each of whom shall be currently employed by a public safety answering point. The Georgia 9-1-1 Directors Association, the Georgia Chapter of the Association of Public Safety Communications Officials, and the Georgia Chapter of the National Emergency Number Association may provide recommendations to the Governor for such appointments;

(E) One member appointed by the Governor who shall be an elected member of a county governing authority that operates or contracts for the operation of a public safety answering point. The Association County Commissioners of Georgia may provide recommendations to the Governor for such appointment;

(F) One member appointed by the Governor who shall be a county manager, county administrator, or finance officer from a county that operates or contracts for the operation of a public safety answering point. The Association County Commissioners of Georgia may provide recommendations to the Governor for such appointment;

(G) One member appointed by the Governor who shall be an elected member of a city governing authority that operates or contracts for the operation of a public safety answering point. The Georgia Municipal Association may provide recommendations to the Governor for such appointment;

(H) One member appointed by the Governor who shall be a city manager, city administrator, or finance officer from a city that operates or contracts for the operation of a public safety answering point. The Georgia Municipal Association may provide recommendations to the Governor for such appointment;

(I) Two members from the telecommunications industry who shall be appointed by the Governor;

(J) One member appointed by the Governor who is a sheriff responsible for managing a public safety answering point. The Georgia Sheriffs' Association may provide recommendations to the Governor for such appointment;

(K) One police chief appointed by the Governor who is serving a local government. The Georgia Association of Chiefs of Police may provide recommendations to the Governor for such appointment; ~~and~~

(L) One fire chief appointed by the Governor who is serving a local government. The Georgia Association of Fire Chiefs may provide recommendations to the Governor for such appointment;

(M) The executive director of the Georgia Technology Authority or his or her designee;

(N) One member who is a subject matter expert in cybersecurity who shall be appointed by the Governor; and

(O) One member who is a subject matter expert in geographic information systems data who shall be appointed by the Governor."

SECTION 1-3.

Said article is further amended by revising Code Section 38-3-183, relating to appointment of executive director, role, and additional staffing, as follows:

"38-3-183.

The director of the Georgia Emergency Management and Homeland Security Agency shall appoint an executive director, subject to approval by the board, who shall be the administrative head of the authority, and shall establish the salary of the executive director.

The executive director shall serve at the pleasure of such director. The executive director shall be considered the state 9-1-1 administrator for the purposes of relevant state and federal law and program requirements. The executive director, with the concurrence and approval of such director, shall hire officers, agents, and employees; prescribe their duties, responsibilities, and qualifications; set their salaries; and perform such other duties as may be prescribed by the authority. Such officers, agents, and employees shall serve at the pleasure of the executive director."

PART II**SECTION 2-1.**

Part 4 of Article 2 of Chapter 5 of Title 46 of the Official Code of Georgia Annotated, relating to emergency telephone number 9-1-1 system, is amended by adding a new paragraph to Code Section 46-5-122, relating to definitions, to read as follows:

"(10.1) 'Next Generation 9-1-1' or 'NG9-1-1' shall have the same meaning as set forth in Code Section 38-3-181."

SECTION 2-2.

Said part is further amended by revising paragraph (1) of subsection (a) of Code Section 46-5-124, relating to guidelines for implementing state-wide emergency 9-1-1 system and training and equipment standards, as follows:

"(1) Steps of action necessary for public agencies to effect the necessary coordination, regulation, and development preliminary to a 9-1-1 system that shall incorporate the requirements of each public ~~service~~ safety agency in each local government of Georgia,"

SECTION 2-3.

Said part is further amended by revising Code Section 46-5-126, relating to cooperation by commission and telephone industry, as follows:

"46-5-126.

The authority shall coordinate its activities with those of the ~~Public Service Commission~~, commission which shall encourage the Georgia telephone industry to ~~activate facility~~ modification plans for a timely 9-1-1 support the timely implementation of NG9-1-1."

SECTION 2-4.

Said part is further amended by revising Code Section 46-5-127, relating to approval of 9-1-1 systems by agency and written confirmation by authority required for 9-1-1 systems established on or after January 1, 2019, as follows:

"46-5-127.

(a) After January 1, 1978, and prior to January 1, 2019, no emergency 9-1-1 system shall be established, and no existing system shall be expanded to provide wireless enhanced 9-1-1 service, without written confirmation by the Georgia Emergency Management and Homeland Security Agency that the local plan conforms to the guidelines and procedures provided for in Code Section 46-5-124.

(b) On or after January 1, 2019, and prior to July 1, 2025, no emergency 9-1-1 system shall be established, and no existing system shall be expanded to provide wireless enhanced 9-1-1 service, without written confirmation by the authority that the local plan conforms to the guidelines and procedures provided for in Code Section 46-5-124. The authority shall not deny the establishment of a new system or an expansion to provide wireless enhanced 9-1-1 service if the local plan conforms to the guidelines and procedures provided for in Code Section 46-5-124.

(c) On or after July 1, 2025, no emergency 9-1-1 system shall be established, and no existing system shall be expanded to provide wireless enhanced 9-1-1 service or NG9-1-1 service, without written confirmation by the authority that the local plan conforms to the guidelines and procedures provided for in Code Section 46-5-124. The authority shall not deny establishment of a new system or an expansion to provide wireless enhanced 9-1-1 service or NG9-1-1 service if the local plan conforms to the guidelines and procedures provided for in Code Section 46-5-124."

PART III

SECTION 3-1.

All laws and parts of laws in conflict with this Act are repealed.