

By: Representative Ford

To: Public Utilities

HOUSE BILL NO. 469

1 AN ACT TO REENACT SECTIONS 19-5-303, 19-5-313, 19-5-331
 2 THROUGH 19-5-341, 19-5-359 AND 19-5-361, MISSISSIPPI CODE OF 1972,
 3 WHICH PROVIDE FOR AN EMERGENCY TELEPHONE SERVICE CHARGE, CREATE A
 4 COMMERCIAL MOBILE RADIO SERVICE BOARD AND PRESCRIBE ITS POWERS AND
 5 DUTIES, PROVIDE FOR COLLECTION OF SERVICE CHARGES, REQUIRE
 6 CONFIDENTIALITY OF PROPRIETARY INFORMATION AND REQUIRE THE
 7 COMMERCIAL MOBILE RADIO SERVICE TO PROVIDE WIRELESS ENHANCED 911
 8 SERVICE; TO AMEND SECTION 12, CHAPTER 536, LAWS OF 1993, AS
 9 AMENDED BY SECTION 12, CHAPTER 531, LAWS OF 1998, TO EXTEND THE
 10 REPEALER ON WIRELESS EMERGENCY TELEPHONE SERVICE FROM JULY 1,
 11 2001, TO JULY 1, 2002; AND FOR RELATED PURPOSES.

12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

13 SECTION 1. Section 19-5-303, Mississippi Code of 1972, is
 14 reenacted as follows:

15 19-5-303. For purposes of Sections 19-5-301 through
 16 19-5-317, the following words and terms shall have the following
 17 meanings, unless the context clearly indicates otherwise:

18 (a) "Exchange access facilities" shall mean all lines
 19 provided by the service supplier for the provision of local
 20 exchange service as defined in existing general subscriber
 21 services tariffs.

22 (b) "Tariff rate" shall mean the rate or rates billed
 23 by a service supplier as stated in the service supplier's tariffs
 24 and approved by the Public Service Commission, which represent the
 25 service supplier's recurring charges for exchange access
 26 facilities, exclusive of all taxes, fees, licenses or similar
 27 charges whatsoever.

28 (c) "District" shall mean any communications district
 29 created pursuant to Sections 19-5-301 et seq., or by local and
 30 private act of the State of Mississippi.

31 (d) "Service supplier" shall mean any person providing
32 exchange telephone service to any service user throughout the
33 county.

34 (e) "Service user" shall mean any person, not otherwise
35 exempt from taxation, who is provided exchange telephone service
36 in the county or state.

37 (f) "E911" shall mean Enhanced Universal Emergency
38 Number Service or Enhanced 911 Service, which is a telephone
39 exchange communications service whereby a Public Safety Answering
40 Point (PSAP) designated by the county or local communications
41 district may receive telephone calls dialed to the telephone
42 number 911. E911 Service includes lines and equipment necessary
43 for the answering, transferring and dispatching of public
44 emergency telephone calls originated by persons within the serving
45 area who dial 911. Enhanced 911 Service includes the displaying
46 of the name, address and other pertinent caller information as may
47 be supplied by the service supplier.

48 (g) "Basic 911" shall mean a telephone service
49 terminated in designated Public Safety Answering Points accessible
50 by the public through telephone calls dialed to the telephone
51 number 911. Basic 911 is a voice service and does not display
52 address or telephone number information.

53 (h) "Shared Tenant Services (STS)" shall mean any
54 telephone service operation supplied by a party other than a
55 regulated local exchange telephone service supplier for which a
56 charge is levied. Such services shall include, but not be limited
57 to, apartment building systems, hospital systems, office building
58 systems and other systems where dial tone is derived from
59 connection of tariffed telephone trunks or lines connected to a
60 private branch exchange telephone system.

61 (i) "Private Branch Exchange (PBX)" shall mean any
62 telephone service operation supplied by a party other than a
63 regulated local exchange telephone service supplier for which a

64 charge is not levied. Such services are those where tariffed
65 telephone trunks or lines are terminated into a central switch
66 which is used to supply dial tone to telephones operating within
67 that system.

68 (j) "Off-Premise Extension" shall mean any telephone
69 connected to a private branch exchange or a shared tenant service
70 which is in a different building or location from the main
71 switching equipment and, therefore, has a different physical
72 address.

73 (k) "Centrex" or "ESSX" shall mean any variety of
74 services offered in connection with any tariffed telephone service
75 in which switching services and other dialing features are
76 provided by the regulated local exchange telephone service
77 supplier.

78 (l) "Commercial mobile radio service" or "CMRS" shall
79 mean commercial mobile radio service under Sections 3(27) and
80 332(d) of the Federal Telecommunications Act of 1996, 47 USCS
81 Section 151 et seq., and the Omnibus Budget Reconciliation Act of
82 1993, Pub. L. 103-66. The term includes the term "wireless" and
83 service provided by any wireless real time two-way voice
84 communication device, including radio-telephone communications
85 used in cellular telephone service, personal communication
86 service, or the functional or competitive equivalent of a
87 radio-telephone communications line used in cellular telephone
88 service, a personal communication service, or a network radio
89 access line. The term does not include service whose customers do
90 not have access to 911 or to a 911-like service, to a
91 communication channel suitable only for data transmission, to a
92 wireless roaming service or other nonlocal radio access line
93 service, or to a private telecommunications system.

94 (m) "Telecommunicator" shall mean any person engaged in
95 or employed as a telecommunications operator by any public safety,
96 fire or emergency medical agency whose primary responsibility is

97 the receipt or processing of calls for emergency services provided
98 by public safety, fire or emergency medical agencies or the
99 dispatching of emergency services provided by public safety, fire
100 or emergency medical agencies and who receives or disseminates
101 information relative to emergency assistance by telephone or
102 radio.

103 (n) "Public Safety Answering Point (PSAP)" shall mean
104 any point of contact between the public and the emergency services
105 such as a 911 answering point or, in the absence of 911 emergency
106 telephone service, any other point of contact where emergency
107 telephone calls are routinely answered and dispatched or
108 transferred to another agency.

109 (o) "Local exchange telephone service" shall mean all
110 lines provided by a service supplier as defined in existing
111 general subscriber tariffs.

112 SECTION 2. Section 19-5-313, Mississippi Code of 1972, is
113 reenacted as follows:

114 19-5-313. (1) The board of supervisors may levy an
115 emergency telephone service charge in an amount not to exceed One
116 Dollar (\$1.00) per residential telephone subscriber line per month
117 and Two Dollars (\$2.00) per commercial telephone subscriber line
118 per month for exchange telephone service. Any emergency telephone
119 service charge shall have uniform application and shall be imposed
120 throughout the entirety of the district to the greatest extent
121 possible in conformity with availability of such service in any
122 area of the district. Those districts which exist on the date of
123 enactment of Chapter 539, Laws of 1993, shall convert to the
124 following structure for service charge levy: If the current
125 charge is five percent (5%) of the basic tariff service rate, the
126 new collection shall be Eighty Cents (\$.80) per month per
127 residential subscriber line and One Dollar and Sixty Cents (\$1.60)
128 per month per commercial subscriber line. The collections may be

129 adjusted as outlined in Chapter 539, Laws of 1993, and within the
130 limits set forth herein.

131 (2) If the proceeds generated by the emergency telephone
132 service charge exceed the amount of monies necessary to fund the
133 service, the board of supervisors may authorize such excess funds
134 to be expended by the county and the municipalities in the
135 counties to perform the duties and pay the costs relating to
136 identifying roads, highways and streets, as provided by Section
137 65-7-143. The board of supervisors shall determine how the funds
138 are to be distributed in the county and among municipalities in
139 the county for paying the costs relating to identifying roads,
140 highways and streets. The board of supervisors may temporarily
141 reduce the service charge rate or temporarily suspend the service
142 charge if the proceeds generated exceed the amount that is
143 necessary to fund the service and/or to pay costs relating to
144 identifying roads, highways and streets. Such excess funds may
145 also be used in the development of county or district
146 communications and paging systems when used primarily for the
147 alerting and dispatching of public safety entities and for other
148 administrative costs such as management personnel, maintenance
149 personnel and related building and operational requirements. Such
150 excess funds may be placed in a depreciation fund for emergency
151 and obsolescence replacement of equipment necessary for the
152 operation of the overall 911 emergency telephone and alerting
153 systems.

154 (3) No such service charge shall be imposed upon more than
155 twenty-five (25) exchange access facilities per person per
156 location. Trunks or service lines used to supply service to CMRS
157 providers shall not have a service charge levied against them.
158 Every billed service user shall be liable for any service charge
159 imposed under this section until it has been paid to the service
160 supplier. The duty of the service supplier to collect any such
161 service charge shall commence upon the date of its implementation,

162 which shall be specified in the resolution for the installation of
163 such service. Any such emergency telephone service charge shall
164 be added to and may be stated separately in the billing by the
165 service supplier to the service user.

166 (4) The service supplier shall have no obligation to take
167 any legal action to enforce the collection of any emergency
168 telephone service charge. However, the service supplier shall
169 annually provide the board of supervisors and board of
170 commissioners with a list of the amount uncollected, together with
171 the names and addresses of those service users who carry a balance
172 that can be determined by the service supplier to be nonpayment of
173 such service charge. The service charge shall be collected at the
174 same time as the tariff rate in accordance with the regular
175 billing practice of the service supplier. Good faith compliance
176 by the service supplier with this provision shall constitute a
177 complete defense to any legal action or claim which may result
178 from the service supplier's determination of nonpayment and/or the
179 identification of service users in connection therewith.

180 (5) The amounts collected by the service supplier
181 attributable to any emergency telephone service charge shall be
182 due the county treasury monthly. The amount of service charge
183 collected each month by the service supplier shall be remitted to
184 the county no later than sixty (60) days after the close of the
185 month. A return, in such form as the board of supervisors and the
186 service supplier agree upon, shall be filed with the county,
187 together with a remittance of the amount of service charge
188 collected payable to the county. The service supplier shall
189 maintain records of the amount of service charge collected for a
190 period of at least two (2) years from date of collection. The
191 board of supervisors and board of commissioners shall receive an
192 annual audit of the service supplier's books and records with
193 respect to the collection and remittance of the service charge.
194 From the gross receipts to be remitted to the county, the service

195 supplier shall be entitled to retain as an administrative fee, an
196 amount equal to one percent (1%) thereof. From and after March
197 10, 1987, the service charge is a county fee and is not subject to
198 any sales, use, franchise, income, excise or any other tax, fee or
199 assessment and shall not be considered revenue of the service
200 supplier for any purpose.

201 (6) In order to provide additional funding for the district,
202 the board of commissioners may receive federal, state, county or
203 municipal funds, as well as funds from private sources, and may
204 expend such funds for the purposes of Section 19-5-301 et seq.

205 SECTION 3. Section 19-5-331, Mississippi Code of 1972, is
206 reenacted as follows:

207 19-5-331. As used in Sections 19-5-331 through 19-5-341,
208 unless the context clearly indicates otherwise:

209 (a) The terms "board" and "CMRS Board" mean the
210 Commercial Mobile Radio Service Emergency Telephone Services
211 Board.

212 (b) The term "automatic number identification" or "ANI"
213 means an enhanced 911 service capability that enables the
214 automatic display of the ten-digit wireless telephone number used
215 to place a 911 call and includes "pseudo-automatic number
216 identification" or "pseudo-ANI," which means an enhanced 911
217 service capability that enables the automatic display of the
218 number of the cell site and an identification of the CMRS
219 provider.

220 (c) The term "commercial mobile radio service" or
221 "CMRS" means commercial mobile radio service under Sections 3(27)
222 and 332(d) of the Federal Telecommunications Act of 1996, 47 USCS
223 Section 151 et seq., and the Omnibus Budget Reconciliation Act of
224 1993, Pub. L. 103-66. The term includes the term "wireless" and
225 service provided by any wireless real time two-way voice
226 communication device, including radio-telephone communications
227 used in cellular telephone service, personal communication

228 service, or the functional or competitive equivalent of a
229 radio-telephone communications line used in cellular telephone
230 service, a personal communication service, specialized mobile
231 radio service, or a network radio access line. The term does not
232 include service whose customers do not have access to 911 or to a
233 911-like service, to a communication channel suitable only for
234 data transmission, to a wireless roaming service or other nonlocal
235 radio access line service, or to a private telecommunications
236 system.

237 (d) The term "commercial mobile radio service provider"
238 or "CMRS provider" or the plural thereof, as the context requires,
239 means a person or entity who provides commercial mobile radio
240 service or CMRS service.

241 (e) The term "CMRS connection" or the plural thereof,
242 as the context requires, means each mobile handset telephone
243 number assigned to a CMRS customer with a service address in the
244 State of Mississippi.

245 (f) The term "CMRS Fund" means the Commercial Mobile
246 Radio Service Fund required to be established and maintained
247 pursuant to Section 19-5-333.

248 (g) The term "CMRS service charge" or the plural
249 thereof, as the context requires, means the CMRS emergency
250 telephone service charge levied and maintained pursuant to Section
251 19-5-333 and collected pursuant to Section 19-5-335.

252 (h) The term "distribution formula" means the formula
253 specified in Section 19-5-333(c) by which monies generated from
254 the CMRS service charge are distributed on a percentage basis to
255 emergency communications districts and to the CMRS Fund.

256 (i) The term "ECD" means an emergency communications
257 district created pursuant to Section 19-5-301, et seq.,
258 Mississippi Code of 1972, or by local and private act of the State
259 of Mississippi.

260 (j) The term "enhanced 911," "E911," "enhanced E911
261 system" or "E911 system" means an emergency telephone system that
262 provides the caller with emergency 911 system service, that
263 directs 911 calls to appropriate public safety answering points by
264 selective routing based on the geographical location from which
265 the call originated, and that provides the capability for
266 automatic number identification and other features that the
267 Federal Communications Commission (FCC) may require in the future.

268 (k) The term "exchange access facility" means an
269 "exchange access facility" as defined by Section 19-5-303,
270 Mississippi Code of 1972.

271 (l) The term "FCC Order" means the Order of the Federal
272 Communications Commission, FCC Docket No. 94-102, adopted on June
273 12, 1996, and released on July 26, 1996.

274 (m) The term "service address" means the location
275 address if the location address is known and accessible; however,
276 if the location address is not known and accessible, the term
277 shall mean the billing address.

278 (n) The term "service supplier" or the plural thereof,
279 as the context requires, means a "service supplier" as defined by
280 Section 19-5-303, Mississippi Code of 1972.

281 (o) The term "technical proprietary information" means
282 technology descriptions, technical information or trade secrets
283 and the actual or developmental costs thereof which are developed,
284 produced or received internally by a CMRS provider or by a CMRS
285 provider's employees, directors, officers or agents.

286 SECTION 4. Section 19-5-333, Mississippi Code of 1972, is
287 reenacted as follows:

288 19-5-333. (1) There is created a Commercial Mobile Radio
289 Service (CMRS) Board, consisting of five (5) members. The members
290 of the board shall be appointed as follows:

291 (a) Two (2) members designated by the Mississippi
292 Association of CMRS Providers; and

293 (b) One (1) member elected, in the manner provided in
294 this paragraph, from each Public Service Commission district, as
295 such districts exist on April 8, 1998. Each emergency
296 communications district established under Section 19-5-305 or by
297 local and private act in the Southern District shall submit a
298 nominee for the board member from the Southern District to the
299 President of the Mississippi Chapter of the National Emergency
300 Number Association, who shall elect the member to represent the
301 Southern District. Each emergency communications district
302 established under Section 19-5-305 or by local and private act in
303 the Central District shall submit a nominee for the board member
304 from the Central District to the President of the American
305 Association of Public Safety Communication Officers, who shall
306 elect the member to represent the Central District. Each
307 emergency communications district established under Section
308 19-5-305 or by local and private act in the Northern District
309 shall submit a nominee for the board member from the Northern
310 District to the President of the Mississippi 911 Coordinators
311 Association, who shall elect the member to represent the Northern
312 District.

313 The initial terms of the board members shall be staggered as
314 follows: the members selected under paragraph (a) shall serve a
315 term of one (1) year; the member elected under paragraph (b) from
316 the Northern District shall serve a term of two (2) years; the
317 member elected under paragraph (b) from the Central District shall
318 serve a term of three (3) years; and the member elected under
319 paragraph (b) from the Southern District shall serve a term of one
320 (1) year. After the expiration of the initial terms, the term for
321 all members shall be two (2) years.

322 (2) The board shall have the following powers and duties:

323 (a) To collect and distribute a CMRS emergency
324 telephone service charge on each CMRS customer that has a billing
325 address within the state. The rate of such CMRS service charge

326 shall be One Dollar (\$1.00) per month per CMRS connection
327 beginning on April 8, 1998. The CMRS service charge shall have
328 uniform application and shall be imposed throughout the state.
329 The board is hereby authorized to receive all revenues derived
330 from the CMRS service charge levied on CMRS connections in the
331 state and collected pursuant to Section 19-5-335.

332 (b) To establish and maintain the CMRS Fund as an
333 insured, interest-bearing account into which the board shall
334 deposit all revenues derived from the CMRS service charge levied
335 on CMRS connections in the state and collected pursuant to Section
336 19-5-335. The revenues which are deposited into the CMRS Fund
337 shall not be monies or property of the state and shall not be
338 subject to appropriation by the Legislature.

339 (c) To establish a distribution formula by which the
340 board will make disbursements of the CMRS service charge in the
341 following amounts and in the following manner:

342 (i) Out of the funds collected by the board,
343 thirty percent (30%) shall be deposited into the CMRS Fund, and
344 shall be used to defray the administrative expenses of the board
345 in accordance with Section 19-5-335(3) and to pay the actual costs
346 incurred by such CMRS providers in complying with the wireless
347 E911 service requirements established by the FCC Order and any
348 rules and regulations which are or may be adopted by the FCC
349 pursuant to the FCC Order, including, but not limited to, costs
350 and expenses incurred for designing, upgrading, purchasing,
351 leasing, programming, installing, testing or maintaining all
352 necessary data, hardware and software required in order to provide
353 such service as well as the incremental costs of operating such
354 service. Sworn invoices must be presented to the board in
355 connection with any request for payment and approved by a majority
356 vote of the board prior to any such disbursement, which approval
357 shall not be withheld or delayed unreasonably. In no event shall
358 any invoice for payment be approved for the payment of costs that

359 are not related to compliance with the wireless E911 service
360 requirements established by the FCC Order and any rules and
361 regulations which are or may be adopted by the FCC pursuant to the
362 FCC Order.

363 (ii) The remainder of all funds collected by the
364 board, which shall not be less than seventy percent (70%) of the
365 total funds collected by the board, shall be distributed by the
366 board monthly based on the number of CMRS connections in each ECD
367 for use in providing wireless E911 service, including capital
368 improvements, and in their normal operations.

369 (d) To obtain from an independent, third-party auditor
370 retained by the board annual reports to the board no later than
371 sixty (60) days after the close of each fiscal year, which shall
372 provide an accounting for all CMRS service charges deposited into
373 the CMRS Fund during the preceding fiscal year and all
374 disbursements to ECDs during the preceding fiscal year. The board
375 shall provide a copy of the annual reports to the Chairmen of the
376 Public Utilities Committees of the House of Representatives and
377 Senate.

378 (e) To conduct a cost study on or before October 1,
379 1999, and to adjust the distribution formula to reflect actual
380 costs to be incurred by each CMRS provider in order to comply with
381 Phase One of the wireless E911 service requirements established by
382 the FCC Order and any rules and regulations which are or may be
383 adopted by the FCC pursuant to the FCC Order.

384 (f) To promulgate such rules and regulations as may be
385 necessary to effect the provisions of Sections 19-5-331 through
386 19-5-341.

387 (g) To make the determinations and disbursements as
388 provided by Section 19-5-333(2)(c).

389 (3) The CMRS service charge provided in Section
390 19-5-333(2)(a) and the service charge provided in Section 19-5-357
391 to fund the training of public safety telecommunicators shall be

392 the only charges assessed to CMRS customers relating to emergency
393 telephone services.

394 (4) The board shall serve without compensation; provided,
395 however, that members of the board shall be entitled to be
396 reimbursed for actual expenses and travel costs associated with
397 their service in an amount not to exceed the reimbursement
398 authorized for state officers and employees in Section 25-3-41,
399 Mississippi Code of 1972.

400 SECTION 5. Section 19-5-335, Mississippi Code of 1972, is
401 reenacted as follows:

402 19-5-335. (1) Each CMRS provider shall act as a collection
403 agent for the CMRS Fund and shall, as part of the provider's
404 normal monthly billing process, collect the CMRS service charges
405 levied upon CMRS connections pursuant to Section 19-5-333(2)(a)
406 from each CMRS connection to whom the billing provider provides
407 CMRS service and shall, not later than thirty (30) days after the
408 end of the calendar month in which such CMRS service charges are
409 collected, remit to the board the net CMRS service charges so
410 collected after deducting the fee authorized by subsection (2) of
411 this section. Each billing provider shall list the CMRS service
412 charge as a separate entry on each bill which includes a CMRS
413 service charge.

414 (2) Each CMRS provider shall be entitled to deduct and
415 retain from the CMRS service charges collected by such provider
416 during each calendar month an amount not to exceed one percent
417 (1%) of the gross aggregate amount of such CMRS service charges so
418 collected as reimbursement for the costs incurred by such provider
419 in collecting, handling and processing such CMRS service charges.

420 (3) The board shall be entitled to retain from the CMRS
421 service charges collected during each calendar month an amount not
422 to exceed two percent (2%) of the money allocated to the CMRS Fund
423 as reimbursement for the costs incurred by the board in
424 administering Sections 19-5-331 through 19-5-341 including, but

425 not limited to, retaining and paying the independent, third-party
426 auditor to review and disburse the cost recovery funds and to
427 prepare the reports contemplated by Sections 19-5-331 through
428 19-5-341.

429 SECTION 6. Section 19-5-337, Mississippi Code of 1972, is
430 reenacted as follows:

431 19-5-337. All technical proprietary information submitted to
432 the board or to the independent, third-party auditor as provided
433 by Section 19-5-333(2)(d) shall be retained by the board and such
434 auditor in confidence and shall be subject to review only by the
435 board. Further, notwithstanding any other provision of the law,
436 no technical proprietary information so submitted shall be subject
437 to subpoena or otherwise released to any person other than to the
438 submitting CMRS provider, the board and the aforesaid independent,
439 third-party auditor without the express permission of the
440 administrator and the submitting CMRS provider. General
441 information collected by the aforesaid independent, third-party
442 auditor shall only be released or published in aggregate amounts
443 which do not identify or allow identification of numbers of
444 subscribers of revenues attributable to an individual CMRS
445 provider.

446 SECTION 7. Section 19-5-339, Mississippi Code of 1972, is
447 reenacted as follows:

448 19-5-339. In accordance with the Federal Communication
449 Commission Order, no CMRS provider shall be required to provide
450 wireless enhanced 911 service until such time as (a) the provider
451 receives a request for such service from the administrator of a
452 Public Safety Answering Point (PSAP) that is capable of receiving
453 and utilizing the data elements associated with the service; (b)
454 funds are available pursuant to Section 19-5-333; and (c) the
455 local exchange carrier is able to support the wireless enhanced
456 911 system.

457 SECTION 8. Section 19-5-341, Mississippi Code of 1972, is
458 reenacted as follows:

459 19-5-341. Wireless emergency telephone service shall not be
460 used for personal use and shall be used solely for the use of
461 communications by the public. Any person who knowingly uses or
462 attempts to use wireless emergency telephone service for a purpose
463 other than obtaining public safety assistance, or who knowingly
464 uses or attempts to use wireless emergency telephone service in an
465 effort to avoid any CMRS charges, is guilty of a misdemeanor and
466 shall be subject to a fine of not more than Five Hundred Dollars
467 (\$500.00) or imprisonment of not more than thirty (30) days in the
468 county jail, or both such fine and imprisonment. If the value of
469 the CMRS charge or service obtained in a manner prohibited by this
470 section exceeds One Hundred Dollars (\$100.00), the offense may be
471 prosecuted as a felony and punishable by a fine of not more than
472 Five Thousand Dollars (\$5,000.00) and imprisonment of not more
473 than three (3) years, or both such fine and imprisonment.

474 SECTION 9. Section 19-5-359, Mississippi Code of 1972, is
475 reenacted as follows:

476 19-5-359. (1) Any service supplier operating within the
477 State of Mississippi shall be required to provide access to the
478 locally designated PSAP by dialing the three (3) digits "911" from
479 any telephone subscriber line within such service area. Where
480 technically available, each service supplier shall, at a county's
481 request, provide "Enhanced 911" services. Where this capability
482 does not technically exist, "Basic 911" shall be available as a
483 minimum.

484 (2) From and after December 31, 1993, any person,
485 corporation or entity operating a "shared tenant service" type of
486 telephone system shall be required to provide as a minimum the
487 location and telephone number information for each and every
488 extension or user on such "shared tenant" system to the regulated
489 local exchange telephone service provider where the service

490 provider can utilize such information in the delivery of "Enhanced
491 911" emergency telephone service. This information shall consist
492 of data in a format that is compatible with the service supplier's
493 requirements in order to provide such location and telephone
494 number information automatically in the event a call to 911 is
495 placed from such a system. It shall be the responsibility of the
496 operator or provider of "STS" telephone services to maintain the
497 data pertaining to each extension operating on such system.

498 (3) Any CMRS providers operating within the State of
499 Mississippi shall be required to have all trunks or service lines
500 supplying all cellular sites and personal communications network
501 sites contain the word "cellular" in the service supplier listing
502 for each trunk or service line to facilitate operator
503 identification of cellular and PCN telephone calls placed to 911.

504 (4) Any service suppliers engaged in the offering or
505 operating of "Centrex" or "ESSX" telephone service within the
506 State of Mississippi shall cause the actual location of all
507 extensions operating in this service to be displayed at the PSAP
508 whenever a 911 call is placed from said extension. This feature
509 shall not be required in areas where Enhanced 911 is not in
510 operation but shall be required should such area upgrade to
511 Enhanced 911 service.

512 (5) Any local exchange telephone service suppliers offering
513 "quick-serve" or "soft" dial tone shall provide address location
514 information to the PSAP operating in the area where the
515 "quick-serve" or "soft" dial tone is in operation so that the PSAP
516 may have this address information displayed should a call to 911
517 be placed from such location. It shall be the responsibility of
518 the service supplier to determine in which emergency service
519 number area the "quick-serve" or "soft" dial tone is located.

520 (6) Any service suppliers operating within the State of
521 Mississippi and providing Enhanced 911 telephone service shall
522 have a reasonable time period, not to exceed five (5) years, to

523 comply with data and operational standards as they are set forth
524 by the National Emergency Number Association. This time period
525 shall apply to data format, equipment supplied for PSAP use and
526 for the length of time required for data updates relating to
527 service user address information, emergency service number updates
528 and other data updates as may be required.

529 SECTION 10. Section 19-5-361, Mississippi Code of 1972, is
530 reenacted as follows:

531 19-5-361. Any Emergency 911 telephone service supplier and
532 Emergency 911 CMRS provider operating within the State of
533 Mississippi, its employees, directors, officers, agents and
534 subcontractors, shall be entitled to receive the limitations of
535 liability as provided to the state, or any agency or local
536 government of the state, pursuant to Section 11-46-15, Mississippi
537 Code of 1972.

538 SECTION 11. Section 12, Chapter 536, Laws of 1993, as
539 amended by Section 12, Chapter 531, Laws of 1998, is amended as
540 follows:

541 Section 12. This act shall stand repealed from and after
542 July 1, 2002.

543 SECTION 12. This act shall take effect and be in force from
544 and after July 1, 2001.