

By: Representative Dedeaux

To: Public Utilities

HOUSE BILL NO. 1266

1 AN ACT TO AMEND SECTION 19-5-303, MISSISSIPPI CODE OF 1972,
2 TO REQUIRE ENHANCED 911 SERVICES (E-911) TO INCLUDE THE DISPLAY OF
3 A CALLER'S COUNTY AND CITY WHEN SUCH CALLER DIALS E-911; TO AMEND
4 SECTION 19-5-319, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO;
5 AND FOR RELATED PURPOSES.

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

7 **SECTION 1.** Section 19-5-303, Mississippi Code of 1972, is
8 amended as follows:

9 19-5-303. For purposes of Sections 19-5-301 through
10 19-5-317, the following words and terms shall have the following
11 meanings, unless the context clearly indicates otherwise:

12 (a) "Exchange access facilities" shall mean all lines
13 provided by the service supplier for the provision of local
14 exchange service as defined in existing general subscriber
15 services tariffs.

16 (b) "Tariff rate" shall mean the rate or rates billed
17 by a service supplier as stated in the service supplier's tariffs
18 and approved by the Public Service Commission, which represent the
19 service supplier's recurring charges for exchange access
20 facilities, exclusive of all taxes, fees, licenses or similar
21 charges whatsoever.

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

25 (d) "Service supplier" shall mean any person providing
26 exchange telephone service to any service user throughout the
27 county.

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

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

43 (g) "Basic 911" shall mean a telephone service
44 terminated in designated Public Safety Answering Points accessible
45 by the public through telephone calls dialed to the telephone
46 number 911. Basic 911 is a voice service and does not display
47 address or telephone number information.

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

56 (i) "Private branch exchange (PBX)" shall mean any
57 telephone service operation supplied by a party other than a
58 regulated local exchange telephone service supplier for which a
59 charge is not levied. Such services are those where tariffed
60 telephone trunks or lines are terminated into a central switch

61 which is used to supply dial tone to telephones operating within
62 that system.

63 (j) "Off-premise extension" shall mean any telephone
64 connected to a private branch exchange or a shared tenant service
65 which is in a different building or location from the main
66 switching equipment and, therefore, has a different physical
67 address.

68 (k) "Centrex" or "ESSX" shall mean any variety of
69 services offered in connection with any tariffed telephone service
70 in which switching services and other dialing features are
71 provided by the regulated local exchange telephone service
72 supplier.

73 (l) "Commercial mobile radio service" or "CMRS" shall
74 mean commercial mobile radio service under Sections 3(27) and
75 332(d) of the Federal Telecommunications Act of 1996, 47 USCS
76 Section 151 et seq., and the Omnibus Budget Reconciliation Act of
77 1993, Public Law 103-66. The term includes the term "wireless"
78 and service provided by any wireless real time two-way voice
79 communication device, including radio-telephone communications
80 used in cellular telephone service, personal communication
81 service, or the functional or competitive equivalent of a
82 radio-telephone communications line used in cellular telephone
83 service, a personal communication service, or a network radio
84 access line. The term does not include service whose customers do
85 not have access to 911 or to a 911-like service, to a
86 communication channel suitable only for data transmission, to a
87 wireless roaming service or other nonlocal radio access line
88 service, or to a private telecommunications system.

89 (m) "Telecommunicator" shall mean any person engaged in
90 or employed as a telecommunications operator by any public safety,
91 fire or emergency medical agency whose primary responsibility is
92 the receipt or processing of calls for emergency services provided
93 by public safety, fire or emergency medical agencies or the

94 dispatching of emergency services provided by public safety, fire
95 or emergency medical agencies and who receives or disseminates
96 information relative to emergency assistance by telephone or
97 radio.

98 (n) "Public safety answering point (PSAP)" shall mean
99 any point of contact between the public and the emergency services
100 such as a 911 answering point or, in the absence of 911 emergency
101 telephone service, any other point of contact where emergency
102 telephone calls are routinely answered and dispatched or
103 transferred to another agency.

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

107 **SECTION 2.** Section 19-5-319, Mississippi Code of 1972, is
108 amended as follows:

109 19-5-319. (1) Automatic number identification (ANI),
110 automatic location identification (ALI) and geographic automatic
111 location identification (GeoALI) information that consist of the
112 name, address, which shall include the county and municipality
113 from where the caller is placing the call, and telephone number of
114 telephone or wireless subscribers shall be confidential, and the
115 dissemination of the information contained in the 911 automatic
116 number and location data base is prohibited except for the
117 following purpose: the information will be provided to the Public
118 Safety Answering Point (PSAP) on a call-by-call basis only for the
119 purpose of handling emergency calls or for training, and any
120 permanent record of the information shall be secured by the Public
121 Safety Answering Point (PSAP) and disposed of in a manner which
122 will retain that security, except upon court order or subpoena
123 from a court of competent jurisdiction or as otherwise provided by
124 law.

125 (2) All emergency telephone calls and telephone call
126 transmissions received pursuant to Section 19-5-301 et seq., and

127 all recordings of the emergency telephone calls, shall remain
128 confidential and shall be used only for the purposes as may be
129 needed for law enforcement, fire, medical rescue or other
130 emergency services. These recordings shall not be released to any
131 other parties without court order or subpoena from a court of
132 competent jurisdiction.

133 (3) PSAP and emergency response entities shall maintain and,
134 upon request, release a record of the date of call, time of call,
135 the time the emergency response entity was notified, and the
136 identity of the emergency response entity. The emergency response
137 entity shall maintain and, upon request, release a record of the
138 date and time the call was received by the emergency response
139 entity and the time the emergency response entity arrived on the
140 scene. Requests for release of records must be made in writing
141 and must specify the information desired. Requestors shall pay
142 the cost of providing the information requested in accordance with
143 the Mississippi Public Records Act of 1983, Section 25-61-1 et
144 seq. The identity of any caller or person or persons who are the
145 subject of any call, or the address, phone number or other
146 identifying information about any such person, shall not be
147 released except as provided in subsection (2) of this section.

148 **SECTION 3.** This act shall take effect and be in force from
149 and after July 1, 2006.