

By: Senator(s) DeLano

To: Technology

SENATE BILL NO. 2835

1 AN ACT TO CREATE THE MISSISSIPPI EMERGENCY COMMUNICATIONS
2 AUTHORITY ACT; TO DEFINE TERMS; TO ESTABLISH THE MISSISSIPPI
3 COMMUNICATIONS AUTHORITY WITHIN THE MISSISSIPPI EMERGENCY
4 MANAGEMENT AGENCY; TO CREATE AN ADVISORY BOARD TO ADVISE THE
5 AUTHORITY; TO OUTLINE THE AUTHORITY'S POWERS AND DUTIES; TO
6 ESTABLISH CONFIDENTIALITY; TO PROVIDE THAT THE ATTORNEY GENERAL
7 SHALL PROVIDE LEGAL SERVICES TO THE AUTHORITY; TO CREATE AN
8 EMERGENCY COMMUNICATIONS SERVICE CHARGE; TO PROVIDE FOR COLLECTION
9 OF, HOLDING, AND DISTRIBUTION OF THE SERVICE CHARGE; TO REQUIRE
10 CERTAIN REGISTRATIONS FROM SERVICE PROVIDERS; TO PROVIDE THAT
11 WIRELESS EMERGENCY TELEPHONE SERVICE SHALL NOT BE USED FOR
12 PERSONAL USE; TO REQUIRE THE DEPARTMENT OF REVENUE TO PAY ALL
13 REMITTED EMERGENCY COMMUNICATIONS SERVICE CHARGES OVER TO THE
14 AUTHORITY; TO PROVIDE FOR A DEPOSIT INTO THE EMERGENCY
15 COMMUNICATIONS PUBLIC SAFETY TRUST FUND; TO REQUIRE EACH EMERGENCY
16 COMMUNICATIONS DISTRICT TO SUBMIT A FINANCIAL AND PROGRAM AUDIT TO
17 THE AUTHORITY ADVISORY BOARD ANNUALLY; TO REQUIRE ALL EMERGENCY
18 COMMUNICATION DISTRICTS TO ADOPT AN NG911 PLAN NO LATER THAN
19 DECEMBER 31, 2030; TO BRING FORWARD SECTION 19-5-301, MISSISSIPPI
20 CODE OF 1972, FOR PURPOSES OF POSSIBLE AMENDMENT; TO AMEND SECTION
21 19-5-305, MISSISSIPPI CODE OF 1972, TO ALLOW COUNTIES TO FORM ECDS
22 IN COORDINATION WITH EACH OTHER; TO BRING FORWARD SECTION
23 19-5-307, FOR PURPOSES OF POSSIBLE AMENDMENT; TO AMEND SECTION
24 19-5-315, MISSISSIPPI CODE OF 1972, TO REMOVE THE PROVISION THAT
25 STIPULATES THAT CHAPTER 5 SHALL BE CONSTRUED TO AMEND, REPEAL OR
26 SUPERSEDE ANY LOCAL AND PRIVATE ACT; TO BRING FORWARD SECTION
27 19-5-317, MISSISSIPPI CODE OF 1972, FOR PURPOSES OF POSSIBLE
28 AMENDMENT; TO AMEND SECTION 33-15-14, MISSISSIPPI CODE OF 1972, TO
29 REQUIRE THE AGENCY TO SERVE AS THE STATEWIDE COORDINATOR FOR
30 EMERGENCY COMMUNICATIONS; TO BRING FORWARD SECTION 33-15-7,
31 MISSISSIPPI CODE OF 1972, FOR PURPOSES OF POSSIBLE AMENDMENT; TO
32 BRING FORWARD SECTION 19-5-343, MISSISSIPPI CODE OF 1972, FOR
33 PURPOSES OF POSSIBLE AMENDMENT; TO REPEAL SECTIONS 19-5-303,
34 19-5-311, 19-5-313, 19-5-331, 19-5-333, 19-5-335, 19-5-337,



35 19-5-339, 19-5-341, 19-5-343, MISSISSIPPI CODE OF 1972, RELATED TO
36 THE EMERGENCY TELEPHONE SERVICE; AND FOR RELATED PURPOSES.

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

38 **SECTION 1.** This act shall be known and may be cited as the
39 "Mississippi Emergency Communications Authority Act."

40 **SECTION 2.** As used in this act, the following terms shall
41 have the following meanings, unless the context clearly indicates
42 otherwise:

43 (a) "Authority" means the Mississippi Emergency
44 Communications Authority. The authority is a subdivision of the
45 Mississippi Emergency Management Agency for all purposes and
46 reports directly to the MEMA Executive Director.

47 (b) "Advisory board" or "board" means the thirteen (13)
48 member Mississippi Emergency Communication Authority (MECA)
49 Advisory Board as appointed in Section 3 of this act.

50 (c) The director of the authority shall be the
51 Emergency Management Communications Coordinator of the Mississippi
52 Emergency Management Agency (MEMA).

53 (d) "Commercial mobile radio service provider" or "CMRS
54 provider" means a person, corporation, or entity licensed by the
55 Federal Communications Commission to offer CMRS in the State of
56 Mississippi, and includes, but is not limited to, broadband
57 personal communications service, cellular radio telephone service,
58 geographic area Specialized Mobile Radio (SMR) services in the 800
59 MHz and 900 MHz bands that offer real-time, two-way voice service
60 that is interconnected with the public switched network, incumbent



61 wide area SMR licensees, or any other cellular or wireless device
62 that has the capability of connecting to a public safety answering
63 point.

64 (e) "Next Generation 9-1-1" or "NG9-1-1" or "NG911"
65 means a secure, internet protocol (IP)-based, open-standards
66 system comprised of hardware, software, data and operational
67 policies and procedures that:

68 (i) Provides standardized interfaces from
69 emergency call and message services to support emergency
70 communications;

71 (ii) Processes all types of emergency calls,
72 including voice, text, data and multimedia information;

73 (iii) Acquires and integrates additional emergency
74 call data useful to call routing and handling;

75 (iv) Delivers the emergency calls, messages, and
76 data to the appropriate Public Safety Answering Point (PSAP) and
77 other appropriate emergency entities based on the location of the
78 caller;

79 (v) Supports data, video and other communications
80 needs for coordinated incident response and management; and

81 (vi) Interoperates with services and networks used
82 by first responders (and other 911 systems) to facilitate
83 emergency response. NG9-1-1 is designed to provide access to
84 emergency services from all connected communications sources and



85 provide multimedia data capabilities for Public Safety Answering
86 Points (PSAPs) and other emergency service organizations.

87 (f) "Emergency Communications Service Charge Fund"
88 means the Emergency Communications Service Charge Fund required to
89 be established and maintained pursuant to Section 3 of this act.

90 (g) "Emergency communications service charge" means the
91 emergency communications service charge levied and maintained
92 pursuant to this section and collected pursuant to Section 3 of
93 this act.

94 (h) "Distribution formula" means the formula specified
95 in Section 3 of this act by which monies generated from the
96 emergency communications service charge are distributed to the
97 local emergency communications districts and to the authority.

98 (i) "ECD" means an emergency communications district
99 created pursuant to Section 19-5-301 et seq., or by a local and
100 private act of the State of Mississippi.

101 (j) "Exchange access facility" means an "exchange
102 access facility" as defined by Section 19-5-303.

103 (k) "Place of primary use" means the street address
104 representative of where the consumer's use of communications
105 services primarily occurs, which must be either the residential
106 street address or the primary business street address of the
107 consumer. When location of primary use is impractical to
108 determine, the physical address for billing may be used.



(l) "Service supplier" means a "service supplier" as defined by Section 19-5-303.

(m) "Consumer" means a person who purchases retail communications service or prepaid wireless telecommunications service in a retail transaction.

(n) "Prepaid wireless emergency communications services charge" means the charge that is required to be collected by a seller from a consumer in the amount established under Section 3 of this act.

(o) "Prepaid wireless communications service" means a wireless communications service that allows a caller to access PSAP through a placed call or wireless data connection, which service must be paid for in advance and is sold in predetermined units or dollars of which the number declines with use in a known amount.

(p) "Service provider" means an entity that provides a service that allows the two-way transmission, conveyance or routing of voice, data, audio, video or any information of signals, including cable and internet protocol services, to a point or between or among points by or through any electronic, radio, satellite, cable, optical, microwave or other medium or method in existence on or after the effective date of this definition, regardless of protocol used for the transmission or conveyance, only if that service is capable of contacting a PSAP by entering or dialing the digits 911 and is subject to applicable



federal or state requirements to provide the 911 dialing capability. The term does not include wireless and internet-protocol-enabled services that are exempt from Federal Communications Commission regulations for 911 communications service, 911 service and next generation 911 service.

(q) "Retail transaction" means the purchase of prepaid wireless telecommunications service from a seller for any purpose other than resale. A retail transaction that is effected in person by a consumer at a business location of the seller shall be treated as occurring in this state if that business location is in this state, and any other retail transaction shall be treated as occurring in this state if the retail transaction is treated as occurring in this state for purposes of Section 27-65-19(1)(d)(v)3.c.

(r) "Seller" means a person who sells prepaid wireless telecommunications service to another person.

(s) "Emergency Services IP Network" or "ESInet" means a managed IP network that is used for emergency services communications, and which can be shared by all public safety agencies. It provides the IP transport infrastructure upon which independent application platforms and core services can be deployed, including, but not restricted to, those necessary for providing NG9-1-1 services. ESInets may be constructed from a mix of dedicated and shared facilities. ESInets may be interconnected at local, regional, state, federal, national and international



159 levels to form an IP-based internetwork (network of networks).
160 ESInet is the designation for the network, but not for the
161 services on the network.

162 (t) "Geographic information system" or "GIS" is a
163 system for capturing, storing, displaying, analyzing and managing
164 data and associated attributes which are spatially referenced.

165 (u) "Internet protocol" or "IP" means the method by
166 which data is sent from one computer to another on the internet or
167 other networks.

168 (v) "Public safety answering point" or "PSAP" is an
169 entity responsible for receiving 9-1-1 calls and processing those
170 calls according to a specific operational policy.

171 (w) "State NG911 Plan" refers to a comprehensive
172 strategy developed by the State to transition from 911 to Next
173 Generation 911 technology.

174 (x) "NG911 CMRS Grant Fund" established to receive all
175 revenues accrued from the existing CMRS providers' accounts
176 payable fund (as stated in Section 19-5-333(2)(c)(i)) that was
177 levied on CMRS connections since the inception of Sections
178 19-5-335 and 19-5-343. The NG911 Implementation Grant Fund shall
179 be used only for capital improvements, equipment, software and
180 other expenses directly attributed to the implementation of
181 approved ECD NG911 plans and related purposes as determined and
182 provided by the authority.



(y) "ECD NG911 Implementation Grant Fund" is established to deposit/transfer all revenues derived from the existing CMRS providers' accounts payable fund that was levied on CMRS connections.

(z) "ECD Operations Fund" is established for the operational expenses of the authority in providing PSAP services, capital improvements and normal operations.

(aa) "State NG911 Fund" is specifically used to implement/deploy, maintain and upgrade as necessary a statewide NG911 Services Network, activities and/or infrastructure and other duties of the Mississippi Emergency Communications Authority as set forth in this act and consistent with the State NG911 Plan.

(bb) "Location" is a single physical address.

SECTION 3. (1) There is established the Mississippi Emergency Communications Authority as an instrumentality of the state. The authority and service providers shall work in cooperation with the state and local government to plan for and implement a framework of both technical and operational aspects of implementing and operating an interoperable and interconnected Next Generation 911 (NG911) public safety network. The authority may contract and be contracted with and defend and bring actions, including, but not limited to, a private right of action to enforce this act. The authority shall be an entity within the Mississippi Emergency Management Agency and attached to said agency for all operational purposes. The MEMA Executive director



208 is the ultimate authority and administrative head of the
209 Mississippi Emergency Communications Authority. The director
210 shall be responsible for ensuring the authority is compliant with
211 applicable state and federal programs and law. The director shall
212 serve at the will and pleasure of the Executive Director of
213 Mississippi Emergency Management Agency. All employees shall
214 serve at the will and pleasure of the executive director.

215 (2) (a) Management of the authority shall be vested in a
216 director with technical guidance and recommendations from the
217 advisory board which shall consist of the following:

218 (i) The Commissioner of Public Safety, or his or
219 her designee;

220 (ii) One (1) member appointed by the Governor
221 selected from two (2) nominees submitted by the GIS Coordinating
222 Council;

223 (iii) One (1) member appointed by the Governor
224 selected from two (2) nominees submitted by the Mississippi 911
225 Coordinators Association;

226 (iv) One (1) member appointed by the Governor
227 selected from two (2) nominees submitted by the Mississippi
228 Chapter of the Association of Public Safety Communications
229 Officials;

230 (v) One (1) member appointed by the Governor
231 selected from two (2) nominees submitted by the Mississippi
232 Chapter of the National Emergency Number Association;



(vi) One (1) member appointed by the Lieutenant Governor who shall be an elected member of a county board of supervisors selected from two (2) nominees submitted by the Mississippi Association of Supervisors;

(vii) One (1) member appointed by the Lieutenant Governor who may 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 selected from two (2) nominees submitted by the Mississippi Association of Supervisors;

(viii) One (1) member appointed by the Governor selected from two (2) nominees submitted by Mississippi Emergency Medical Services;

(ix) One (1) member appointed by the Lieutenant Governor who shall be an elected member of a municipal governing authority, city manager, city administrator, or finance officer from a municipality that operates or contracts for the operation of a public safety answering point selected from two (2) nominees submitted by the Mississippi Municipal League;

(x) One (1) member appointed by the Governor who shall be from the telecommunications industry;

(xi) One (1) member appointed by the Lieutenant Governor who is a sheriff responsible for managing a public safety answering point selected from two (2) nominees submitted by the Mississippi Sheriffs' Association;



(xii) One (1) police chief appointed by the Governor who is serving a local government selected from two (2) nominees submitted by the Mississippi Association of Chiefs of Police; and

(xiii) One (1) fire chief appointed by the Lieutenant Governor who is serving a local government selected from two (2) nominees submitted by the Mississippi Fire Chiefs Association.

(b) The initial term for appointments made pursuant to subparagraphs (ii), (iii), (iv), (v), (vi) and (vii) of paragraph (a) of this subsection shall be from July 1, 2025, until June 30, 2028. These initial appointments shall be made by July 1, 2025. The initial term for appointments made pursuant to subparagraphs (viii), (ix), (x), (xi), (xii) and (xiii) of paragraph (a) of this subsection shall be from July 1, 2025, until June 30, 2027. All subsequent terms shall be for three (3) years. Any vacancies that occur prior to the end of a term shall be filled by appointment in the same manner as the original appointment and shall be for the remainder of the unexpired term. Upon expiration of his or her term of office, a board member shall continue to serve until his or her successor has been duly appointed and qualified. Members may be appointed to successive terms. In the event of a vacancy, the vacancy shall be filled for the balance of the unexpired term in the same manner as the original appointment. Any vacancy occurring on the board, whether for an expired or unexpired term,



shall be filled by appointment as soon as practicable after the vacancy occurs. Appointments made at times when the Senate is not in session shall be effective immediately ad interim and shall serve until the Senate acts on the appointment as provided herein. Any appointments made while the Senate is not in session shall be submitted to the Senate not later than the third legislative day following the reconvening of the Legislature. In the event the Senate fails or refuses to act on the appointment, the person whose name was submitted shall continue to serve until action is taken on the appointment by the Senate.

(c) The board may appoint additional persons to serve in an advisory role to the board. MEMA legal shall have a representative and MEMA accounting shall have a representative serving on the board in advisory positions. Such advisers shall be nonvoting and shall not be counted in ascertaining if a quorum is present.

(d) Members of the advisory board shall receive no compensation for their services but may be authorized by the authority to receive reimbursement from funds of the authority as provided by state law for travel associated with their service in an amount not to exceed the reimbursement authorized for state officers and employees in Section 25-3-41.

(e) Seven (7) members of the advisory board shall constitute a quorum, and the affirmative votes of a majority of a quorum shall be required for any action to be taken by the board.



307 (f) The director of the authority shall convene the
308 initial meeting of the board of the authority no later than August
309 1, 2025, at which time the board shall elect one (1) of its
310 members as chairperson. In addition, the board shall elect from
311 its membership a vice chairperson and a secretary/treasurer.

312 (g) The advisory board shall promulgate bylaws and may
313 adopt other procedures for governing its affairs and for
314 discharging its duties as may be permitted or required by law or
315 applicable rules and regulations, provided that the director has
316 ultimate authority for approving, denying or modifying such bylaws
317 and procedures.

318 (3) The authority shall administer, receive and audit
319 emergency communications services charges for the benefit of the
320 State NG911 Plan and ECDs throughout the state, as specified in
321 this article, and on such terms and conditions as may be
322 determined to be in the best interest of the operations of ECDs.
323 The authority shall develop and maintain a distribution formula
324 for all funds in the emergency communications service charges and
325 in accordance with this act.

326 (4) The authority shall act as a statewide authority and
327 resource for the development, modification, and implementation of
328 a State NG911 Plan. On or before March 1, 2026, the authority
329 shall develop, establish and publish a defined scope and technical
330 standards and operational requirements for a State NG911 Plan.
331 The authority shall have an exemption from state procurement



timelines and requirements for a period of three (3) years in order to get plans and functions established.

(5) The authority shall act as a statewide authority and resource for the development, modification, and approval of each ECD's NG911 implementation plan. On or before September 30, 2026, the authority shall publish minimum standards, specifications and requirements for a ECD NG911 plan.

(6) In addition to the purposes specified in this subsection, the authority shall have the duties and responsibilities to:

(a) Developing and adopt an annual budget for approval and submission to the Legislative Budget Office by MEMA for implementation, management, upgrades, deployments, and operations consistent with the State NG911 Plan;

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

(c) Study, evaluate and establish technology standards for the regional and statewide provision of a public safety communications network and NG911 systems; review and revise technology standards based on orders and ruling by the Federal Communications Commission (FCC);

(d) Identify and recommend any changes necessary to accomplish more effective, efficient and sustainable emergency communication service across this state, including consolidation and interoperability of PSAPs and or 911 systems, recommending a



357 long-term plan for standardization of operational processes and
358 training, recommending any legislation necessary to implement the
359 long-term strategic State NG911 Plan, and reporting its
360 recommendations to the Legislative Services Office of the Senate
361 and the House of Representatives;

362 (e) Identify and recommend any changes necessary in the
363 assessment and collection of emergency communication service
364 charges; provide a report to the Legislative Services Office of
365 the Senate and the House of Representatives;

366 (f) Develop, offer or make recommendations to the
367 Mississippi Board of Emergency Telecommunications Standards and
368 Training (Section 19-5-351) and other state agencies, as to
369 standardized training that should be provided to
370 telecommunicators, trainers, supervisors and directors of Public
371 Safety Answering Points;

372 (g) Recommend minimum standards for the operation of
373 public safety answering points and the authority shall develop and
374 implement a quality assurance program internally and shall monitor
375 local and regional PSAP compliance with technical and operational
376 standards, requirements and practices;

377 (h) Collect data and statistics regarding the
378 performance and operation of public safety answering points and
379 coordinate with ECDs to provide technical assistance when
380 requested;



(i) Identify any necessary changes or enhancements to develop and deploy NG911 statewide and to establish policies and procedures to develop and implement a plan to provide NG911 services;

(j) Investigate and incorporate Geographical Information Systems standards and mapping and other resources into the State NG911 Plan and formulate recommended strategies for the efficient and effective delivery of NG911 services;

(k) The Mississippi Emergency Communications Authority shall have the authority to act upon any adverse findings noted in ECD audits or financial statements and to order such action as may be necessary to remedy the adverse findings which may include but, not be limited to, withholding transfers from the Emergency Communication Public Safety Trust Fund;

(l) Develop a CMRS Implementation Grant Program for providing the State NG911 Fund and ECDs competitive grants for NG911 implementation consistent with the State NG911 Plan and an approved ECD NG911 plan. The authority shall develop a scoring system for ECD applications based on completeness of application, number of businesses and residences served, geographic area served by an ECD and achievement of consolidation of PSAPs. The scoring should promote a reduction of statewide PSAPs. Funds available in the NG911 CMRS Grant Fund shall be used for grant program and amounts awarded to ECDs shall be transferred to the ECDs NG911



Implementation Fund for the purposes stated in Section 9 of this act.

(7) The authority shall have the power and authority to:

(a) Require each ECD to submit a plan to implement a NG911 program consistent with Section 3 of this act. The ECD may obtain technical assistance from the authority in formulating its plan. Each NG911 plan shall be designed to meet the individual circumstances of each community and public agency participating in the ECD. The plan shall consider efficiencies to be achieved from regionalization and consolidation. Once the board reviews each ECD's plan for completeness and compliance with the State NG911 Plan, the board shall vote to make a recommendation to the director. The director may either approve, deny, or remand the plan back to the board with notes for further work. Upon final approval by the director, the board shall certify the ECD NG911 plan for period of time as state in the State NG911 Plan;

(b) Identify and define all ECDs throughout the state by geospatial layer. The authority shall adopt a schedule of all zip codes plus four (4) designations for ECDs in the state as required by the federal Universal Sourcing Act. Any ECD that has within its jurisdiction zip code designations that do not adhere to county lines shall assist the authority in determining the appropriate ECD for scheduling purposes. In addition to provisions in this act, the authority shall use the distribution



429 formula to modify ECD boundaries as necessary to provide an ECD
430 map for publication;

431 (c) Make and execute contracts, lease agreements, and
432 all other instruments necessary or convenient to exercise the
433 powers of the authority or to further the public purpose for which
434 the authority is created, including, but not limited to,
435 professional services;

436 (d) Acquire by purchase, lease, or otherwise and to
437 hold, lease, and dispose of real or personal property of every
438 kind and character, or any interest therein, in furtherance of the
439 purpose of the authority;

440 (e) Apply for and to accept any gifts or grants, loan
441 guarantees, loans of funds, property, or financial or other aid in
442 any form from the federal government or any agency or
443 instrumentality thereof, from the state government or any agency
444 or instrumentality thereof, or from any other source for any or
445 all purposes specified in this article and to comply, subject to
446 the provisions of this article, with the terms and conditions
447 thereof;

448 (f) Deposit or otherwise invest funds held by it in any
449 state depository or in any investment that is authorized for the
450 investment of proceeds of state general obligation bonds and to
451 use for its corporate purposes or redeposit or reinvest interest
452 earned on such funds;



(g) Establish and maintain the Emergency Communications Service Public Safety Trust Fund, the NG911 CMRS Grant Fund, and the State NG911 Fund;

(h) Receive, manage and control the Emergency Communications Service Charge Fund remitted to the Department of Revenue and transferred into the Emergency Communications Public Safety Trust Fund on behalf of the authority and pursuant to Section 6 of this act. The Emergency Communications Public Safety Trust Fund shall be deposited into an insured, interest-bearing account. The revenues which are deposited into the Emergency Communications Public Safety Trust Fund shall not be monies or property of the state and shall not be subject to appropriation by the Legislature. Interest derived from the Emergency Communications Public Safety Trust Fund shall be included in the total amount distributed to each 911 Emergency Communications District (ECD) through the distribution formula defined in Paragraph (j) of this subsection;

(i) Retain during each calendar month an amount not to exceed five percent (7%) of the total money allocated to the Emergency Communications Public Safety Trust Fund for the administration and operations of the authority and implementation/maintenance of the State NG911 Plan;

(j) Establish and maintain a distribution formula for the Emergency Communications Public Safety Trust Fund by which the authority will make disbursements to ECDs. The distribution



478 formula shall be developed and maintained by the advisory board to
479 use all information remitted pursuant to Section 6 of this act and
480 any other creditable information available to ensure accurate and
481 fair distributions of the Emergency Communications Public Safety
482 Trust Fund to the benefit of each ECD. The advisory board shall
483 establish a stated process for amending, appealing and otherwise
484 managing the distribution formula. The director must approve the
485 distribution formula prior to formal implementation;

486 (k) Distribute funds in the Emergency Communications
487 Public Safety Trust Fund to each ECD in accordance with the
488 distribution formula established in this act;

489 (l) MEMA/MECA shall provide an accounting for all
490 emergency communications service charges deposited into the
491 Emergency Communications Public Safety Trust Fund during the
492 preceding fiscal year and all disbursements to ECDs during the
493 preceding fiscal year. MEMA/MECA shall provide a copy of the
494 annual reports to the Chairmen of Appropriations Committees of the
495 House of Representatives and Senate and Legislative Services
496 Office within thirty (30) days of receipt of report;

497 (m) May retain an independent, third-party accountant
498 who shall audit service providers at the discretion of the
499 authority to verify the accuracy of each service providers'
500 emergency communications service charge collection. The
501 information obtained by the audits shall be used solely for the
502 purpose of verifying that service providers are accurately



collecting and remitting the emergency communications service charges and may be used for any legal action initiated by the authority against service providers. The authority is prohibited from retaining a third-party accountant on a contingency fee or other success-based arrangement. The authority shall be subject to the following:

(i) The authority shall develop a schedule for auditing service providers according to criteria adopted by the board. Such schedule shall provide for an audit of a service provider not more than once every three (3) years. Any such audit shall cover a representative sample of the service provider's customer base in the state; and

(ii) Any claim by the authority seeking to adjust the amount of any collection, remittance, or charge reported by the service provider or imposing any penalty shall be limited to the period of three years prior to the date of the initial notice to the service provider of the audit;

(n) To levy interest charges at the legal rate of interest established in Section 75-17-1 on any amount due and outstanding from any service provider who fails to remit emergency communications service charges in accordance with Section 6 of this act;

(o) To promulgate such rules and regulations as may be necessary to effect the provisions of this act;



527 (p) To maintain a registration database of all service
528 providers and to impose an administrative fine on any provider
529 that fails to comply with the registration requirements in this
530 act;

531 (q) In order to provide additional funding for
532 implementing, deploying, operating, and maintaining NG911
533 programs, the authority may receive federal, state, county or
534 municipal funds, as well as funds from private sources, and may
535 expend such funds for the purposes of Section 19-5-301 et seq.

536 (8) All monies received by the authority pursuant to this
537 act shall be deemed to be trust funds to be held and applied
538 solely as provided in this act.

539 (9) This act, being for the welfare of the state and its
540 inhabitants, shall be liberally construed to effect the purposes
541 thereof.

542 **SECTION 4.** All information submitted to the authority or to
543 the independent, third-party auditor as required by this act shall
544 be retained by the authority and such auditor in confidence and
545 shall be subject to review only by the authority. Further,
546 notwithstanding any other provision of the law, no information so
547 submitted shall be subject to subpoena or otherwise released to
548 any person other than to the submitting service provider, the
549 authority, and the aforesaid independent, third-party auditor
550 without the express permission of the administrator and the
551 submitting service provider. General information collected by the



aforesaid independent, third-party auditor shall only be released or published in aggregate amounts which do not identify or allow identification of numbers of subscribers of revenues attributable to an individual service provider.

SECTION 5. The Attorney General shall provide legal services for the authority.

SECTION 6. (1) Beginning January 1, 2026, the state hereby levies an emergency communications service charge in an amount not to exceed Two Dollars (\$2.00) per residential telephone subscriber line per month, Two Dollars (\$2.00) per Voice over Internet Protocol subscriber account per month, Two Dollars (\$2.00) per commercial telephone subscriber line per month for exchange telephone service, Two Dollars (\$2.00) per CMRS connection per month, and Two Dollars (\$2.00) for a prepaid wireless telecommunications service purchased in a retail transaction.

(2) (a) No such emergency communications service charge shall be imposed upon more than two hundred (200) exchange access facilities or Voice over Internet Protocol lines per location. Trunks or service lines used to supply service to CMRS providers shall not have an emergency communications service charge levied against them.

(b) In computing the amount due under this subsection, the number of emergency communications service charges a consumer shall be assessed shall not exceed the number of simultaneous outbound calls that can be made from voice channels the service



supplier has activated and enabled. For service that provides to multiple locations shared simultaneous outbound voice channel capacity configured to and capable of accessing a PSAP in different states, the monthly emergency communications service charge shall be assessed only for the portion of such shared voice channel capacity in Mississippi as identified by the service provider's books and records. In determining the portion of the shared capacity in the state, a service provider may rely on, among other factors, a customer's certification of its allocation of capacity in Mississippi, which may be based on each end user location, the total number of end users, and the number of end users at each end user location.

(3) For purposes of applying the emergency communication service charge (a) when a service provider delivers service to the same person, business, or organization the voice channel capacity to make more than one simultaneous outbound call from an exchange access facility, then each such separate simultaneous outbound call voice channel capacity, regardless of technology, shall constitute a separate service; and (b) when the same person, business, or organization has several wireless telephones, each CMRS connection shall constitute a separate service. A broadband connection used for telephone service shall not constitute a separate voice channel capacity subscription for purposes of the emergency communication service charge.



(4) Each service provider shall act as a collection agent for the emergency communications service charge and shall, as part of the provider's normal monthly billing process, collect the emergency communications service charges levied upon providers and customers pursuant to subsection (1) of this section and shall, not later than thirty (30) days after the end of the calendar month in which such emergency communications service charges are collected, remit to the Department of Revenue the emergency communications service charges so collected. A return, in such form as the Department of Revenue and the service supplier agree upon, shall be filed with the Department of Revenue, to include aggregate emergency communications service charges collected and reported to the Department of Revenue on a county or ECD basis as determined by the authority using by a zip code plus four (4) designation as required by the federal Uniform Sourcing Act and a remittance of the amount of service charge collected payable to the Emergency Communications Services Charge Fund.

(5) Each service provider shall be entitled to deduct and retain from the emergency communications service charges collected by such provider during each calendar month an amount not to exceed one percent (1%) of the gross aggregate amount of such collections as reimbursement for the costs incurred by such provider in collecting, handling and processing such emergency communications service charges.



625 (6) Each service provider shall list the emergency
626 communications service charge as a separate entry on each bill,
627 which includes an emergency communications service charge.

628 (7) The service supplier shall maintain records of the
629 amount of emergency communications service charge collected for a
630 period of at least two (2) years from date of collection. The
631 authority shall receive an annual audit of the service supplier's
632 books and records with respect to the collection and remittance of
633 the emergency communications service charge.

634 (8) The emergency communications service charge is the
635 liability of the consumer and not the service provider. The
636 service provider shall have no obligation to take any legal action
637 to enforce the collection of any emergency communications service
638 charge; however, the service provider shall annually provide the
639 authority, upon request by the authority, with a list of the
640 amount uncollected, together with the names and addresses of those
641 service users who carry a balance that can be determined by the
642 service provider to be nonpayment of such emergency communications
643 service charge. Good-faith compliance by the service provider
644 with this provision shall constitute a complete defense to any
645 legal action or claim which may result from the service provider's
646 determination of nonpayment and/or the identification of service
647 users in connection therewith.



648 (9) Each service provider shall register with the authority
649 and the Department of Revenue and shall provide the following
650 information upon registration:

- 651 (a) The company name of the provider;
- 652 (b) The marketing name of the provider;
- 653 (c) The publicly traded name of the provider;
- 654 (d) The physical address of the company headquarters
655 and of the main office located in the State of Mississippi; and
- 656 (e) The names and addresses of the providers' board of
657 directors/owners.

658 Each service provider shall notify the authority of any
659 change in the information prescribed in paragraphs (a) through (e)
660 of this subsection (7). The authority may impose an
661 administrative fine in an amount not to exceed Ten Thousand
662 Dollars (\$10,000.00) on any provider which fails to comply with
663 the provisions of this subsection.

664 (10) (a) For prepaid wireless communications service, the
665 emergency communications service charge shall be collected by the
666 seller from the consumer with respect to each retail transaction
667 occurring in this state. The amount of the emergency
668 communications service charge shall be either separately stated on
669 an invoice, receipt or other similar document that is provided to
670 the consumer by the seller, or otherwise disclosed to the
671 consumer.



672 (b) The prepaid wireless emergency service charge is
673 the liability of the consumer and not of the seller or of any
674 service provider, except that the seller shall be liable to remit
675 all prepaid wireless emergency service charges that the seller
676 collects from consumers as provided in subsection (1) of this
677 section, including all such charges that the seller is deemed to
678 have collected where the amount of the charge has not been
679 separately stated on an invoice, receipt or other similar document
680 provided to the consumer by the seller.

681 (c) Prepaid wireless emergency communications service
682 charges collected by sellers shall be remitted to the Department
683 of Revenue at the times and in the manner provided by Title 27,
684 Chapter 65, Mississippi Code of 1972, with respect to sales and
685 use taxes. The Department of Revenue shall establish registration
686 and payment procedures that substantially coincide with the
687 registration and payment procedures that apply to Title 27,
688 Chapter 65, Mississippi Code of 1972.

689 (d) The audit and appeal procedures applicable to Title
690 27, Chapter 65, Mississippi Code of 1972, shall apply to prepaid
691 wireless emergency communications service charges.

692 (e) The Department of Revenue shall establish
693 procedures by which a seller of prepaid wireless
694 telecommunications service may document that a sale is not a
695 retail transaction, which procedures shall substantially coincide
696 with the procedures for documenting sale for resale transactions



697 for sales and use tax purposes under Title 27, Chapter 65,
698 Mississippi Code of 1972.

699 (f) A seller shall be permitted to deduct and retain
700 two percent (2%) of prepaid wireless emergency service charges
701 that are collected by the seller from consumers.

702 (11) The amount of the emergency communications service
703 charge that is collected by a service providers or seller from a
704 consumer, shall not be considered revenue for any purpose and,
705 therefore, shall not be included in the base for measuring any
706 tax, fee, surcharge or other charge that is imposed by this state,
707 any political subdivision of this state or any intergovernmental
708 agency.

709 (12) No service provider or seller of prepaid wireless
710 communications service shall be liable for damages to any person
711 resulting from or incurred in connection with accessing or
712 attempting to access emergency services.

713 (13) No service provider shall be liable for damages to any
714 person or entity resulting from or incurred in connection with the
715 service provider's provision of assistance to any investigative or
716 law enforcement officer of the United States, this or any other
717 state, or any political subdivision of this or any other state, in
718 connection with any investigation or other law enforcement
719 activity by such law enforcement officer that the provider
720 believes in good faith to be lawful.



(14) Partial payments made by a customer are applied first to the amount the customer owes the service provider or seller or seller of prepaid wireless telecommunication service.

(15) The emergency communications service charge provided in Section 6 of this act and the service charge provided in Section 19-5-357 to fund the training of public safety telecommunicators shall be the only charges assessed to service providers and customers of service providers relating to emergency communications services.

(16) To avoid an overlap in the assessment of the old and new charges for service providers obligated to pay the emergency communication service charge safety charge, a transition to the payment of the emergency communications service charge shall occur.

(a) The assessment of charges before the effective date of this section shall continue through December 31, 2025, and be remitted in the same manner to the same entity as previously prescribed before the effective date of this section.

(b) Any unpaid assessments for the time period up to and including December 31, 2026, shall remain due and payable under the terms and processes that are or were in place at the time.

(c) Beginning on January 1, 2026, a service provider is subject to the public safety charges assessed as described in this section.



(d) After January 1, 2026, a service supplier shall remit to Department of Revenue all assessments of the emergency communication service charge for a calendar month by the fifteenth business day of the following month and thereafter as prescribed in this section.

SECTION 7. Wireless emergency telephone service shall not be used for personal use and shall be used solely for the use of communications by the public. Any person who knowingly uses or attempts to use wireless emergency telephone service for a purpose other than obtaining public safety assistance, or who knowingly uses or attempts to use wireless emergency telephone service in an effort to avoid any emergency communications charges, is guilty of a misdemeanor and shall be subject to a fine of not more than Five Hundred Dollars (\$500.00) or imprisonment of not more than thirty (30) days in the county jail, or both such fine and imprisonment. If the value of the emergency communications charge or service obtained in a manner prohibited by this section exceeds One Hundred Dollars (\$100.00), the offense may be prosecuted as a felony and punishable by a fine of not more than Five Thousand Dollars (\$5,000.00) and imprisonment of not more than three (3) years, or both such fine and imprisonment.

SECTION 8. (1) The Department of Revenue shall pay all remitted emergency communications service charges over to the authority, or as otherwise directed by the authority through contract or a memorandum of understanding, within thirty (30) days



of receipt, for use by the authority in accordance with the purposes permitted by this act, after deducting an amount, not to exceed one-half percent (0.50%) of collected charges that shall be retained by the department to reimburse its direct costs of administering the collection and remittance of emergency communication service charges.

(2) In order to provide additional funding for the district, MEMA/MECA may receive federal, state, county or municipal funds, as well as funds from private sources, and may expend such funds for the purposes of Section 19-5-301 et seq.

SECTION 9. (1) Of the total funds received by any ECD from the Emergency Communications Public Safety Trust Fund, no less than thirty percent (30%) shall be deposited into the ECD NG911 Implementation Fund, and shall be used to plan and provide for the transition from legacy 911 to NG911 by implementing/deploying and maintaining core components of NG911 functionality, including an IP based system comprised of managed Emergency Services IP network services (ESInets), functional elements (applications), databases (GIS), and call handling systems that replicate traditional E911 features and functions and provides additional capabilities. ECD NG911 Implementation Funds shall not be used for operations for expenses that are not considered capital in nature. Except for expenses authorized in the State NG911 Plan, no ECD NG911 Implementation Funds may be used for augmentation of the ECD's land mobile radio system. The funds deposited in the EDC NG911



Implementation Fund shall accrue to the benefit of the ECD. No ECD may access and or expend ECD NG911 Implementation Funds until the authority, through written authorization from the director and the advisory board, has approved the ECD's NG911 Plan.

(2) The remainder of the total funds received by an ECD from the Emergency Communications Public Safety Trust Fund shall be deposited into the ECD Operations Fund and shall be limited to provide PSAP services, including capital improvements, and in their normal ECD operations, including land mobile radio service.

SECTION 10. Each ECD shall submit a financial and program audit to the authority advisory board annually. Such program audits shall test whether emergency communications districts are spending funds in an efficient and effective manner and whether emergency communications districts are using best practices in contracting for goods and services. Audits shall meet the minimum standards prescribed. The MEMA/MECA shall also prescribe procedures necessary to assure that the books and records are kept in accordance with generally accepted accounting principles.

SECTION 11. All emergency communication districts must adopt an NG911 plan no later than December 31, 2030, and any district failing to adopt its plan by such date may not receive any monies from the NG911 CMRS Grant Fund or ECD NG911 Implementation Fund.

SECTION 12. Section 19-5-301, Mississippi Code of 1972, is brought forward as follows:



19-5-301. (1) The Legislature finds and declares it to be in the public interest to reduce the time required for a citizen to request and receive emergency aid, and to raise the level of competence of local public safety and 911 telecommunicators by establishing a minimum standard of training and certification for personnel involved in the answering and dispatching of calls to law enforcement, fire and emergency medical services. The provision of a single, primary three-digit emergency number through which emergency services can be quickly and efficiently obtained will provide a significant contribution to law enforcement and other public service efforts by simplifying the notification of public service personnel. Such a simplified means of procuring emergency services will result in the saving of life, a reduction in the destruction of property, quicker apprehension of criminals and, ultimately, the saving of monies. Establishment of a uniform emergency number is a matter of concern and interest to all citizens of the state.

(2) The Legislature also finds and declares it to be in the public interest to reduce the time required for a citizen to request and receive emergency aid, by requiring all owners and renters of residences, buildings and structures to obtain a 911 address from the county.

SECTION 13. Section 19-5-305, Mississippi Code of 1972, is amended as follows:



19-5-305. The board of supervisors of each county may create, by order duly adopted and entered on its minutes, an emergency communications district composed of all of the territory within the county. The board of supervisors of each county may, in its discretion, by order duly adopted and entered on its minutes, choose to create an emergency communications district in partnership with another board of supervisors to serve each of the counties represented in the partnership. The ECD shall have the authority to charge nonpublic users.

SECTION 14. Section 19-5-307, Mississippi Code of 1972, is brought forward as follows:

19-5-307. (1) When any district is created, the board of supervisors of the county creating such district may appoint a board of commissioners composed of seven (7) members to govern its affairs, and shall fix the domicile of the board at any point within the district. The members of the board shall be qualified electors of the district, two (2) of whom shall be appointed for terms of two (2) years, three (3) for terms of three (3) years, and two (2) for terms of four (4) years, dating from the date of the adoption of the ordinance creating the district. Thereafter, all appointments of the members shall be for terms of four (4) years.

(2) The board of commissioners shall have complete and sole authority to appoint a chairman and any other officers it may deem necessary from among the membership of the board of commissioners.



869 (3) A majority of the board of commissioners membership
870 shall constitute a quorum and all official action of the board of
871 commissioners shall require a quorum.

872 (4) The board of commissioners shall have authority to
873 employ such employees, experts and consultants as it may deem
874 necessary to assist the board of commissioners in the discharge of
875 its responsibilities to the extent that funds are made available.

876 (5) In lieu of appointing a board of commissioners, the
877 board of supervisors of the county may serve as the board of
878 commissioners of the district, in which case it shall assume all
879 the powers and duties of the board of commissioners as provided in
880 Section 19-5-301 et seq.

881 (6) All emergency communications districts shall purchase,
882 lease or lease-purchase equipment used to comply with the FCC
883 Order, as defined in Section 19-5-333, from a products and
884 equipment list maintained by the Mississippi Department of
885 Information Technology Services; however, items not available from
886 the list, or items which may be purchased at a lower price, shall
887 be purchased in accordance with the Public Purchasing Law (Section
888 31-7-13).

889 **SECTION 15.** Section 19-5-315, Mississippi Code of 1972, is
890 amended as follows:

891 19-5-315. * * * (* * * 1) The governing authorities of any
892 municipality which has established an emergency communications
893 district under the provisions of a local and private act enacted



894 prior to the effective date of Section 19-5-301 et seq., may merge
895 such district with the district established by the county in which
896 the municipality is located, by order duly adopted and entered on
897 the minutes of the governing authority and after the board of
898 supervisors has duly adopted and entered on its minutes a similar
899 order. After the county and the municipal districts have been
900 merged, the local and private act for such municipality shall be
901 of no force or effect.

902 (* * *2) Two (2) or more counties may, by order duly
903 adopted and entered on their minutes, establish a single emergency
904 communications district to be composed of all of the territory
905 within such counties provided that before the establishment
906 thereof the board of supervisors of each of such counties has
907 established an emergency communications district for its county in
908 accordance with Section 19-5-305. When two (2) or more counties
909 have established a single emergency communications district for
910 the counties as provided under this subsection, the board of
911 commissioners of the district shall consist of the members of the
912 board of supervisors of each of such counties or seven (7) members
913 from each county to be appointed as provided in Section 19-5-307.

914 (* * *3) A municipality may, in the form of a written
915 agreement between the governing authorities of the municipality
916 and the county it seeks to contract with, and with approval from
917 the Mississippi Emergency Communications Authority, join an
918 emergency communications district in a county outside the



919 municipality's county of residence. Such written agreement shall
920 include that a fair share of funding shall be contributed by the
921 municipality being served to the county operating the emergency
922 communications district. Monies necessary for the fair share of
923 funding shall be generated according to subsection (7)(j) of
924 Section 3 of this act and Section 7 of this act.

925 (* * *4) If an agreement is made according to subsection
926 (4) of this section, no further emergency communications district
927 shall be formed without the termination of the current agreement.

928 (* * *5) An emergency communications district established
929 under this section may serve the jurisdiction of more than one (1)
930 public agency of the county or municipality or, through mutual
931 written agreements, more than one (1) county or municipality.

932 **SECTION 16.** Section 19-5-317, Mississippi Code of 1972, is
933 brought forward as follows:

934 19-5-317. (1) When there is not an emergency, no person
935 shall make a telephone call to an emergency telephone service and
936 knowingly or intentionally:

- 937 (a) Remain silent;
- 938 (b) Make abusive or harassing statements to an
939 emergency telephone service employee;
- 940 (c) Report the existence of an emergency; or
- 941 (d) Falsely report a crime.



(2) No person shall knowingly permit a telephone under his control to be used by another person in a manner described in subsection (1) of this section.

(3) Conviction of a first offense under this section is punishable by a fine not to exceed Five Thousand Dollars (\$5,000.00) or by imprisonment for a period of time not to exceed one (1) year, or by both such fine and imprisonment. Conviction of any subsequent offense under this section is punishable by a fine not to exceed Ten Thousand Dollars (\$10,000.00) or by imprisonment for a period of time not to exceed three (3) years, or by both such fine and imprisonment.

(4) For the purpose of this section, "emergency telephone service" shall mean a service established under Section 19-5-301 et seq., Mississippi Code of 1972, or established under the provisions of a local and private act enacted prior to October 20, 1987.

SECTION 17. Section 33-15-14, Mississippi Code of 1972, is amended as follows:

33-15-14. (1) The agency is responsible for maintaining a comprehensive statewide program of emergency management. The agency is responsible for coordination with efforts of the federal government with other departments and agencies of state government, with county and municipal governments and school boards and with private agencies that have a role in emergency management.



967 (2) In performing its duties under this article, the agency
968 shall:

969 (a) Work with the Governor, or his representative, in
970 preparing a State Comprehensive Emergency Management Plan of this
971 state, which shall be integrated into and coordinated with the
972 emergency management plans of the federal government and of other
973 states to the fullest possible extent, and to coordinate the
974 preparation of plans and programs for emergency management by the
975 political subdivisions of the state, such local plans to be
976 integrated into and coordinated with the emergency plan and
977 program of this state. The plan must contain provisions to ensure
978 that the state is prepared for emergencies and minor, major and
979 catastrophic disasters, and the agency shall work closely with
980 local governments and agencies and organizations with emergency
981 management responsibilities in preparing and maintaining the plan.
982 The State Comprehensive Emergency Management Plan will be
983 operations oriented and:

984 (i) Include an evacuation component that includes
985 specific regional and interregional planning provisions and
986 promotes intergovernmental coordination of evacuation activities.
987 This component must, at a minimum: ensure coordination pertaining
988 to evacuees crossing county lines; set forth procedures for
989 directing people caught on evacuation routes to safe shelter; and
990 establish policies and strategies for emergency medical
991 evacuations.



992 (ii) Include a shelter component that includes
993 specific regional and interregional planning provisions and
994 promotes coordination of shelter activities between the public,
995 private and nonprofit sectors. This component must, at a minimum:
996 contain strategies to ensure the availability of adequate public
997 shelter space in each region of the state; establish strategies
998 for refuge-of-last-resort programs; provide strategies to assist
999 local emergency management efforts to ensure that adequate
1000 staffing plans exist for all shelters, including medical and
1001 security personnel; provide for a postdisaster communications
1002 system for public shelters; establish model shelter guidelines for
1003 operations, registration, inventory, power generation capability,
1004 information management and staffing; and set forth policy guidance
1005 for sheltering people with special needs.

1006 (iii) Include a postdisaster response and recovery
1007 component that includes specific regional and interregional
1008 planning provisions and promotes intergovernmental coordination of
1009 postdisaster response and recovery activities. This component
1010 must provide for postdisaster response and recovery strategies
1011 according to whether a disaster is minor, major or catastrophic.
1012 The postdisaster response and recovery component must, at a
1013 minimum: establish the structure of the state's postdisaster
1014 response and recovery organization; establish procedures for
1015 activating the state's plan; set forth policies used to guide
1016 postdisaster response and recovery activities; describe the chain



1017 of command during the postdisaster response and recovery period;
1018 describe initial and continuous postdisaster response and recovery
1019 actions; identify the roles and responsibilities of each involved
1020 agency and organization; provide for a comprehensive
1021 communications plan; establish procedures for monitoring mutual
1022 aid agreements; provide for rapid impact assessment teams; ensure
1023 the availability of an effective statewide urban search and rescue
1024 program coordinated with the fire services; ensure the existence
1025 of a comprehensive statewide medical care and relief plan
1026 administered by the State Department of Health; and establish
1027 systems for coordinating volunteers and accepting and distributing
1028 donated funds and goods.

1029 (iv) Include additional provisions addressing
1030 aspects of preparedness, response and recovery, as determined
1031 necessary by the agency.

1032 (v) Address the need for coordinated and
1033 expeditious deployment of state resources, including the
1034 Mississippi National Guard. In the case of an imminent major
1035 disaster, procedures should address predeployment of the
1036 Mississippi National Guard, and, in the case of an imminent
1037 catastrophic disaster, procedures should address predeployment of
1038 the Mississippi National Guard and the United States Armed Forces.
1039 This subparagraph (v) does not authorize the agency to call out
1040 and deploy the Mississippi National Guard, which authority and
1041 determination rests solely with the Governor.



1042 (vi) Establish a system of communications and
1043 warning to ensure that the state's population and emergency
1044 management agencies are warned of developing emergency situations
1045 and can communicate emergency response decisions.

1046 (vii) Establish guidelines and schedules for
1047 annual exercises that evaluate the ability of the state and its
1048 political subdivisions to respond to minor, major and catastrophic
1049 disasters and support local emergency management agencies. Such
1050 exercises shall be coordinated with local governments and, to the
1051 extent possible, the federal government.

1052 (viii) 1. Assign lead and support
1053 responsibilities to state agencies and personnel for emergency
1054 support functions and other support activities.

1055 2. The agency shall prepare an interim
1056 postdisaster response and recovery component that substantially
1057 complies with the provisions of this paragraph (a). Each state
1058 agency assigned lead responsibility for an emergency support
1059 function by the State Comprehensive Emergency Management Plan
1060 shall also prepare a detailed operational plan needed to implement
1061 its responsibilities. The complete State Comprehensive Emergency
1062 Management Plan shall be submitted to the Governor no later than
1063 January 1, 1996, and on January 1 of every even-numbered year
1064 thereafter.

1065 (b) Adopt standards and requirements for county
1066 emergency management plans. The standards and requirements must



ensure that county plans are coordinated and consistent with the State Comprehensive Emergency Management Plan. If a municipality elects to establish an emergency management program, it must adopt a city emergency management plan that complies with all standards and requirements applicable to county emergency management plans.

(c) Assist political subdivisions in preparing and maintaining emergency management plans.

(d) Review periodically political subdivision emergency management plans for consistency with the State Comprehensive Emergency Management Plan and standards and requirements adopted under this section.

(e) Make recommendations to the Legislature, building code organizations and political subdivisions for zoning, building and other land use controls, safety measures for securing mobile homes or other nonpermanent or semipermanent structures; and other preparedness, prevention and mitigation measures designed to eliminate emergencies or reduce their impact.

(f) In accordance with the State Comprehensive Emergency Management Plan and program for emergency management, ascertain the requirements of the state, its political subdivisions and the Mississippi Band of Choctaw Indians for equipment and supplies of all kinds in the event of an emergency; plan for and either procure supplies, medicines, materials and equipment or enter into memoranda of agreement or open purchase orders that will ensure their availability; and use and employ



1092 from time to time any of the property, services and resources
1093 within the state in accordance with this article.

1094 (g) Anticipate trends and promote innovations that will
1095 enhance the emergency management system.

1096 (h) Prepare and distribute to appropriate state and
1097 local officials catalogs of federal, state and private assistance
1098 programs.

1099 (i) Implement training programs to improve the ability
1100 of state and local emergency management personnel to prepare and
1101 implement emergency management plans and programs, and require all
1102 local civil defense directors or emergency management directors to
1103 complete such training as a condition to their authority to
1104 continue service in their emergency management positions.

1105 (j) Review periodically emergency operating procedures
1106 of state agencies and recommend revisions as needed to ensure
1107 consistency with the State Comprehensive Emergency Management Plan
1108 and program.

1109 (k) Prepare, in advance whenever possible, such
1110 executive orders, proclamations and rules for issuance by the
1111 Governor as are necessary or appropriate for coping with
1112 emergencies and disasters.

1113 (l) Cooperate with the federal government and any
1114 public or private agency or entity in achieving any purpose of
1115 this article.



1116 (m) Assist political subdivisions with the creation and
1117 training of urban search and rescue teams and promote the
1118 development and maintenance of a state urban search and rescue
1119 program.

1120 (n) Delegate, as necessary and appropriate, authority
1121 vested in it under this article and provide for the subdelegation
1122 of such authority.

1123 (o) Require each county or municipality to designate an
1124 agent for working with the agency in the event of a natural
1125 disaster. The county or municipality may designate any person as
1126 agent who has completed training programs required of emergency
1127 management directors.

1128 (p) Report biennially to the Governor and the President
1129 of the Senate, and the Speaker of the House of Representatives, no
1130 later than January 1 of every odd-numbered year, the status of the
1131 emergency management capabilities of the state and its political
1132 subdivisions.

1133 (q) In accordance with Section 25-43-1 et seq., create,
1134 implement, administer, promulgate, amend and rescind rules,
1135 programs and plans needed to carry out the provisions of this
1136 article with due consideration for, and in cooperating with, the
1137 plans and programs of the federal government.

1138 (r) Have the sole power and discretion to enter into,
1139 sign, execute and deliver long-term or multiyear leases of real
1140 and personal property with other state and federal agencies.



1141 (s) Do other things necessary, incidental or
1142 appropriate for the implementation of this article.

1143 (t) In accordance with Section 33-15-15, create,
1144 implement, administer, promulgate, amend and rescind rules
1145 regarding the development of the Mississippi Disaster Reservist
1146 Program.

1147 (u) Unless otherwise instructed by the Governor,
1148 sponsor and develop mutual aid plans and agreements between the
1149 political subdivisions of the state and the Mississippi Band of
1150 Choctaw Indians similar to the mutual aid arrangements with other
1151 states referenced in Section 33-15-11(b) (10).

1152 (v) Serve as the statewide coordinator for Emergency
1153 Communications, including 911, E911, NG911 and all other related
1154 functions.

1155 **SECTION 18.** Section 33-15-7, Mississippi Code of 1972, is
1156 brought forward as follows:

1157 33-15-7. (a) There is hereby created within the executive
1158 branch of the state government a department called the Mississippi
1159 Emergency Management Agency with a director of emergency
1160 management who shall be appointed by the Governor; he shall hold
1161 office during the pleasure of the Governor and shall be
1162 compensated as determined by any appropriation that may be made by
1163 the Legislature for such purposes.

1164 (b) The director, with the approval of the Governor, may
1165 employ such technical, clerical, stenographic and other personnel,



to be compensated as provided in any appropriation that may be made for such purpose, and may make such expenditures within the appropriation therefor, or from other funds made available to him for purposes of emergency management, as may be necessary to carry out the purposes of this article.

(c) The director and other personnel of the emergency management agency shall be provided with appropriate office space, furniture, equipment, supplies, stationery and printing in the same manner as provided for other state agencies.

(d) The director, subject to the direction and control of the Governor, shall be the executive head of the emergency management agency and shall be responsible to the Governor for carrying out the program for emergency management of this state. He shall coordinate the activities of all organizations for emergency management within the state, and shall maintain liaison with and cooperate with emergency management agencies and organizations of other states and of the federal government, and shall have such additional authority, duties, and responsibilities authorized by this article as may be prescribed by the Governor.

SECTION 19. Section 19-5-343, Mississippi Code of 1972, is brought forward as follows:

19-5-343. (1) **Definitions.** For purposes of this section, the following terms shall have the following meanings:

(a) "Consumer" means a person who purchases prepaid wireless telecommunications service in a retail transaction.



1191 (b) "Department" means the Mississippi Department of
1192 Revenue.

1193 (c) "Prepaid wireless E911 charge" means the charge
1194 that is required to be collected by a seller from a consumer in
1195 the amount established under subsection (2).

1196 (d) "Prepaid wireless telecommunications service" means
1197 a wireless telecommunications service that allows a caller to dial
1198 911 to access the 911 system, which service must be paid for in
1199 advance and is sold in predetermined units or dollars of which the
1200 number declines with use in a known amount.

1201 (e) "Provider" means a person who provides prepaid
1202 wireless telecommunications service pursuant to a license issued
1203 by the Federal Communications Commission.

1204 (f) "Retail transaction" means the purchase of prepaid
1205 wireless telecommunications service from a seller for any purpose
1206 other than resale.

1207 (g) "Seller" means a person who sells prepaid wireless
1208 telecommunications service to another person.

1209 (h) "Wireless telecommunications service" means
1210 commercial mobile radio service as defined by Section 20.3 of
1211 Title 47 of the Code of Federal Regulations, as amended.

1212 (2) **Collection and remittance of E911 charge.** (a) Amount
1213 of Charge. The prepaid wireless E911 charge shall be One Dollar
1214 (\$1.00) per retail transaction.



1215 (b) Collection of charge. The prepaid wireless E911
1216 charge shall be collected by the seller from the consumer with
1217 respect to each retail transaction occurring in this state. The
1218 amount of the prepaid wireless E911 charge shall be either
1219 separately stated on an invoice, receipt or other similar document
1220 that is provided to the consumer by the seller, or otherwise
1221 disclosed to the consumer.

1222 (c) Application of charge. For purposes of paragraph
1223 (b) of this subsection, a retail transaction that is effected in
1224 person by a consumer at a business location of the seller shall be
1225 treated as occurring in this state if that business location is in
1226 this state, and any other retail transaction shall be treated as
1227 occurring in this state if the retail transaction is treated as
1228 occurring in this state for purposes of Section
1229 27-65-19(1)(d)(v)3.c.

1230 (d) Liability for charge. The prepaid wireless E911
1231 charge is the liability of the consumer and not of the seller or
1232 of any provider, except that the seller shall be liable to remit
1233 all prepaid wireless E911 charges that the seller collects from
1234 consumers as provided in subsection (3), including all such
1235 charges that the seller is deemed to have collected where the
1236 amount of the charge has not been separately stated on an invoice,
1237 receipt, or other similar document provided to the consumer by the
1238 seller.



1239 (e) Exclusion of E911 charge from base of other taxes
1240 and fees. The amount of the prepaid wireless E911 charge that is
1241 collected by a seller from a consumer, whether or not such amount
1242 is separately stated on an invoice, receipt or other similar
1243 document provided to the consumer by the seller, shall not be
1244 included in the base for measuring any tax, fee, surcharge or
1245 other charge that is imposed by this state, any political
1246 subdivision of this state or any intergovernmental agency.

1247 (f) Resetting of charge. The prepaid wireless E911
1248 charge shall be increased or reduced, as applicable, upon any
1249 change to the state E911 charge on postpaid wireless
1250 telecommunications service under Section 19-5-333. Such increase
1251 or reduction shall be effective on the effective date of the
1252 change to the postpaid charge or, if later, the first day of the
1253 first calendar month to occur at least sixty (60) days after the
1254 enactment of the change to the postpaid charge. The department
1255 shall provide not less than thirty (30) days of advance notice of
1256 such increase or reduction on the commission's website.

1257 (3) **Administration of E911 charge.** (a) Time and manner of
1258 payment. Prepaid wireless E911 charges collected by sellers shall
1259 be remitted to the department at the times and in the manner
1260 provided by Chapter 65 of Title 27 with respect to sales and use
1261 taxes. The department shall establish registration and payment
1262 procedures that substantially coincide with the registration and
1263 payment procedures that apply to Chapter 65 of Title 27.



1264 (b) Seller administrative deduction. A seller shall be
1265 permitted to deduct and retain two percent (2%) of prepaid
1266 wireless E911 charges that are collected by the seller from
1267 consumers.

1268 (c) Audit and appeal procedures. The audit and appeal
1269 procedures applicable to Chapter 65 of Title 27 shall apply to
1270 prepaid wireless E911 charges.

1271 (d) Exemption documentation. The department shall
1272 establish procedures by which a seller of prepaid wireless
1273 telecommunications service may document that a sale is not a
1274 retail transaction, which procedures shall substantially coincide
1275 with the procedures for documenting sale for resale transactions
1276 for sales and use tax purposes under Chapter 65 of Title 27.

1277 (e) Disposition of remitted charges. The department
1278 shall pay all remitted prepaid wireless E911 charges over to the
1279 Commercial Mobile Radio Service Emergency Telephone Services Board
1280 within thirty (30) days of receipt, for use by the board in
1281 accordance with the purposes permitted by Section 19-5-333, after
1282 deducting an amount, not to exceed two percent (2%) of collected
1283 charges, that shall be retained by the department to reimburse its
1284 direct costs of administering the collection and remittance of
1285 prepaid wireless E911 charges. The amount of the distribution
1286 shall be determined by dividing the population of the
1287 communications district by the state population, and then
1288 multiplying that quotient times the total revenues remitted to the



1289 department after deducting the amount authorized in this
1290 subsection.

1291 (4) **No Liability.** (a) No liability regarding 911 service.
1292 No provider or seller of prepaid wireless telecommunications
1293 service shall be liable for damages to any person resulting from
1294 or incurred in connection with the provision of, or failure to
1295 provide, 911 or E911 service, or for identifying, or failing to
1296 identify, the telephone number, address, location or name
1297 associated with any person or device that is accessing or
1298 attempting to access 911 or E911 service.

1299 (b) No provider of prepaid wireless service shall be
1300 liable for damages to any person or entity resulting from or
1301 incurred in connection with the provider's provision of assistance
1302 to any investigative or law enforcement officer of the United
1303 States, this or any other state, or any political subdivision of
1304 this or any other state, in connection with any investigation or
1305 other law enforcement activity by such law enforcement officer
1306 that the provider believes in good faith to be lawful.

1307 (c) Incorporation of postpaid 911 liability protection.
1308 In addition to the protection from liability provided by
1309 paragraphs (a) and (b) of this subsection, each provider and
1310 seller shall be entitled to the further protection from liability,
1311 if any, that is provided to providers and sellers of wireless
1312 telecommunications service that is not prepaid wireless
1313 telecommunications service pursuant to Section 19-5-361.



1314 (5) **Exclusivity of prepaid wireless E911 charge.** The
1315 prepaid wireless E911 charge imposed by this section shall be the
1316 only E911 governmental funding obligation imposed with respect to
1317 prepaid wireless telecommunications service in this state, and no
1318 tax, fee, surcharge or other charge shall be imposed by this
1319 state, any political subdivision of this state, or any
1320 intergovernmental agency, for E911 funding purposes, upon any
1321 provider, seller or consumer with respect to the sale, purchase,
1322 use or provision of prepaid wireless telecommunications service.

1323 (6) Notwithstanding any other method or formula of
1324 collection and/or distribution of the emergency telephone service
1325 charges as specified in this section and as such collection and/or
1326 distribution method or formula is specified in this section, a
1327 provider may collect and distribute the said charges in any other
1328 manner applicable to satisfy the intent and requirements of this
1329 section.

1330 **SECTION 20.** Section 19-5-303, Mississippi Code of 1972,
1331 which provides definitions, is hereby repealed.

1332 **SECTION 21.** Section 19-5-311, Mississippi Code of 1972,
1333 which provides for responding to emergency calls, is hereby
1334 repealed.

1335 **SECTION 22.** Section 19-5-313, Mississippi Code of 1972,
1336 which provides for emergency telephone services charges, is hereby
1337 repealed.



1338 **SECTION 23.** Section 19-5-331, Mississippi Code of 1972,
1339 which defines certain terms as used in the provisions providing
1340 for enhanced wireless emergency telephone service, is hereby
1341 repealed.

1342 **SECTION 24.** Section 19-5-333, Mississippi Code of 1972,
1343 which creates the Commercial Mobile Radio Service Board and
1344 provides for its powers and duties, is hereby repealed.

1345 **SECTION 25.** Section 19-5-335, Mississippi Code of 1972,
1346 which provides for the collection of services charges by the
1347 Commercial Mobile Radio Service Board and requires registration of
1348 Commercial Mobile Radio Service providers, is hereby repealed.

1349 **SECTION 26.** Section 19-5-337, Mississippi Code of 1972,
1350 which provides for the confidentiality of proprietary information
1351 submitted to the Commercial Mobile Radio Service Board, is hereby
1352 repealed.

1353 **SECTION 27.** Section 19-5-339, Mississippi Code of 1972,
1354 which provides for the requirement to provide enhanced 911
1355 service, is hereby repealed.

1356 **SECTION 28.** Section 19-5-341, Mississippi Code of 1972,
1357 which makes it an offense and provides criminal penalties for
1358 using wireless emergency telephone service for personal use, is
1359 hereby repealed.

1360 **SECTION 29.** Section 19-5-343, Mississippi Code of 1972,
1361 which provides for the collection and remittance of prepaid
1362 wireless E911 charges, is hereby repealed.



1363 **SECTION 30.** This act shall take effect and be in force from
1364 and after July 1, 2025.

