

House Amendments to Senate Bill No. 2835

TO THE SECRETARY OF THE SENATE:

THIS IS TO INFORM YOU THAT THE HOUSE HAS ADOPTED THE AMENDMENTS SET OUT BELOW:

AMENDMENT NO. 1

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

40 SECTION 1. This act shall be known and may be cited as the
41 "Mississippi Emergency Communications Authority Act."

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

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

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

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

55 (d) "Commercial mobile radio service provider" or "CMRS
56 provider" has the same meaning as defined in 47 CFR 9.3.

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

61 (i) Provides standardized interfaces from
62 emergency call and message services to support emergency
63 communications;

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

66 (iii) Acquires and integrates additional emergency
67 call data useful to call routing and handling;

68 (iv) Delivers the emergency calls, messages, and
69 data to the appropriate Public Safety Answering Point (PSAP) and
70 other appropriate emergency entities based on the location of the
71 caller;

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

74 (vi) Interoperates with services and networks used
75 by first responders (and other 911 systems) to facilitate
76 emergency response. NG9-1-1 is designed to provide access to
77 emergency services from all connected communications sources and
78 provide multimedia data capabilities for Public Safety Answering
79 Points (PSAPs) and other emergency service organizations.

80 (f) "Emergency Communications Public Safety Trust Fund"
81 means the funds remitted to the Department of Revenue and
82 deposited into the Emergency Communications Service Charge Fund

83 that through contract or memorandum of understanding with the
84 Mississippi Emergency Communication Authority are transmitted to
85 ECDs,

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

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

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

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

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

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

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

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

(o) "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.

(p) "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.

(q) "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

134 capability. The term does not include wireless and
135 internet-protocol-enabled services that are exempt from Federal
136 Communications Commission regulations for 911 communications
137 service, 911 service and next generation 911 service.

138 (r) "Retail transaction" means the purchase of prepaid
139 wireless telecommunications service from a seller for any purpose
140 other than resale. A retail transaction that is effected in
141 person by a consumer at a business location of the seller shall be
142 treated as occurring in this state if that business location is in
143 this state, and any other retail transaction shall be treated as
144 occurring in this state if the retail transaction is treated as
145 occurring in this state for purposes of Section
146 27-65-19(1)(d)(v)3.c.

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

149 (t) "Emergency Services IP Network" or "ESInet" means a
150 managed IP network that is used for emergency services
151 communications, and which can be shared by all public safety
152 agencies. It provides the IP transport infrastructure upon which
153 independent application platforms and core services can be
154 deployed, including, but not restricted to, those necessary for
155 providing NG9-1-1 services. ESInets may be constructed from a mix
156 of dedicated and shared facilities. ESInets may be interconnected
157 at local, regional, state, federal, national and international
158 levels to form an IP-based internetwork (network of networks).

ESInet is the designation for the network, but not for the services on the network.

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

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

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

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

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

(z) "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.

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

(bb) "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.

(cc) "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 is the ultimate authority and administrative head of the Mississippi Emergency Communications Authority. The director shall be responsible for ensuring the authority is compliant with

210 applicable state and federal programs and law. The director shall
211 serve at the will and pleasure of the Executive Director of
212 Mississippi Emergency Management Agency. All employees shall
213 serve at the will and pleasure of the executive director.

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

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

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

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

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

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

232 (vi) One (1) member appointed by the Lieutenant
233 Governor who shall be an elected member of a county board of
234 supervisors selected from two (2) nominees submitted by the
235 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.

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

(g) The advisory board shall promulgate bylaws and may adopt other procedures for governing its affairs and for discharging its duties as may be permitted or required by law or

314 applicable rules and regulations, provided that the director has
315 ultimate authority for approving, denying or modifying such bylaws
316 and procedures.

317 (3) The authority shall administer, receive and audit
318 emergency communications service charges for the benefit of the
319 State NG911 Plan and ECDs throughout the state, as specified in
320 this article, and on such terms and conditions as may be
321 determined to be in the best interest of the operations of ECDs.

322 (4) The authority shall act as a statewide authority and
323 resource for the development, modification, and implementation of
324 a State NG911 Plan. On or before March 1, 2026, the authority
325 shall develop, establish and publish a defined scope and technical
326 standards and operational requirements for a State NG911 Plan.
327 The authority shall have an exemption from state procurement
328 timelines and requirements for a period of three (3) years in
329 order to get plans and functions established.

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

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

338 (a) Developing and adopt an annual budget for approval
339 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
long-term plan for standardization of operational processes and
training, recommending any legislation necessary to implement the
long-term strategic State NG911 Plan, and reporting its
recommendations to the Legislative Services Office of the Senate
and the House of Representatives;

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

(f) Develop, offer or make recommendations to the
Mississippi Board of Emergency Telecommunications Standards and
Training (Section 19-5-351) and other state agencies, as to
standardized training that should be provided to

telecommunicators, trainers, supervisors and directors of Public Safety Answering Points;

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

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

(1) 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 created in Section 19-5-315 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. ECDs that have within their jurisdiction any zip code designations that do not adhere to ECD boundary lines shall assist the authority in determining the appropriate allocation of Emergency Communications Service Charge for each ECD for scheduling purposes and used in the distribution formula. The authority shall maintain a published map of ECD districts;

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

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

(e) Apply for and to accept any gifts or grants, loan guarantees, loans of funds, property, or financial or other aid in any form from the federal government or any agency or instrumentality thereof, from the state government or any agency or instrumentality thereof, or from any other source for any or all purposes specified in this article and to comply, subject to

the provisions of this article, with the terms and conditions thereof;

(f) Deposit or otherwise invest funds held by it in any state depository or in any investment that is authorized for the investment of proceeds of state general obligation bonds and to use for its corporate purposes or redeposit or reinvest interest 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 a special fund established in the State Treasury designated as the "Emergency Communications Public Safety Trust Fund" on behalf of the authority and pursuant to Section 6 of this act. 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. Monies in the fund at the end of the fiscal year shall not lapse into the General Fund. The Emergency Communications Public Safety Trust Fund shall be deposited into an insured, interest-bearing account and interest earned shall be credited to the special fund;

(i) Retain during each calendar month an amount not to exceed seven percent (7%) of the total money allocated to the Emergency Communications Public Safety Trust Fund which shall be

deposited into a special fund established in the State Treasury to be designated as the "State NG911 Fund." The Emergency Communications Public Safety Trust Fund, and any other funds that may be made available, is to be used for the purpose of administration and operations of the authority and costs directly associated with the implementation and/or maintenance of the State NG911 Plan. Monies left in the fund at the end of the fiscal year shall not lapse into the General Fund, and interest earned on any amounts deposited into the fund shall be credited to the special fund;

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

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

492 (1) Maintain a registration database of all service
493 providers and impose an administrative fine on any provider that
494 fails to comply with the registration requirements in this act;

495 (m) May retain an independent, third-party accountant
496 who shall audit service providers at the discretion of the
497 authority to verify the accuracy of each service providers'
498 emergency communications service charge collection. The
499 information obtained by the audits shall be used solely for the
500 purpose of verifying that service providers are accurately
501 collecting and remitting the emergency communications service
502 charges and may be used for any legal action initiated by the
503 authority against service providers. The authority is prohibited
504 from retaining a third-party accountant on a contingency fee or
505 other success-based arrangement. The authority shall be subject
506 to the following:

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

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

(n) 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) Promulgate such rules and regulations as may be necessary to effect the provisions of this act;

(p) In order to provide additional funding for implementing, deploying, operating, and maintaining NG911 programs, the authority 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.

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

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

SECTION 4. All information submitted to the authority or to the independent, third-party auditor as required by this act shall be retained by the authority and such auditor in confidence and shall be subject to review only by the authority. Further, notwithstanding any other provision of the law, no information so submitted shall be subject to subpoena or otherwise released to any person other than to the submitting service provider, the authority, and the aforesaid independent, third-party auditor

without the express permission of the administrator and the 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-half percent (0.5%) of the gross aggregate amount of such collections as reimbursement for the actual costs incurred by such provider in collecting, handling and processing such emergency communications service charges.

(6) Each service provider that chooses to pass through the charge shall list the emergency communications service charge as a

621 separate entry on each bill, which includes an emergency
622 communications service charge.

623 (7) The service supplier shall maintain records in a form
624 auditors can access of the amount of emergency communications
625 service charge collected for a period of at least two (2) years
626 from date of collection. The authority shall develop a schedule
627 for auditing service suppliers and such a schedule shall provide
628 for an audit of a service supplier not more than once every three
629 (3) years. The audit shall cover a representative sample of the
630 service supplier's customer base in the state.

631 (8) The emergency communications service charge is the
632 liability of the consumer and not the service provider. The
633 service provider shall have no obligation to take any legal action
634 to enforce the collection of any emergency communications service
635 charge.

636 (9) Each service provider shall register with the authority
637 and the Department of Revenue and shall provide the following
638 information upon registration:

- 639 (a) The company name of the provider;
- 640 (b) The marketing name of the provider;
- 641 (c) The publicly traded name of the provider;
- 642 (d) The physical address of the company headquarters
643 and of the main office located in the State of Mississippi; and
- 644 (e) The name, address and telephone number of the
645 representative of the service supplier with whom a local
646 government must coordinate:

(i) To implement automatic number identification or automatic location identification, or both, of a telephone service connection; or

(ii) For collection and distribution of the emergency communications service charge and such other matters related to the authority.

Each service provider shall notify the authority of any change in the information prescribed in paragraphs (a) through (e) of this subsection (9). The authority may impose an administrative fine in an amount not to exceed Ten Thousand Dollars (\$10,000.00) on any provider which fails to comply with the provisions of this subsection.

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

(b) The prepaid wireless emergency service charge is the liability of the consumer and not of the seller or of any service provider, except that the seller shall be liable to remit all prepaid wireless emergency service charges that the seller collects from consumers as provided in subsection (1) of this section, including all such charges that the seller is deemed to

673 have collected where the amount of the charge has not been
674 separately stated on an invoice, receipt or other similar document
675 provided to the consumer by the seller.

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

684 (d) The audit and appeal procedures applicable to Title
685 27, Chapter 65, Mississippi Code of 1972, shall apply to prepaid
686 wireless emergency communications service charges.

687 (e) The Department of Revenue shall establish
688 procedures by which a seller of prepaid wireless
689 telecommunications service may document that a sale is not a
690 retail transaction, which procedures shall substantially coincide
691 with the procedures for documenting sale for resale transactions
692 for sales and use tax purposes under Title 27, Chapter 65,
693 Mississippi Code of 1972.

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

697 (11) The amount of the emergency communications service
698 charge that is collected by a service providers or seller from a

699 consumer, shall not be considered revenue for any purpose and,
700 therefore, shall not be included in the base for measuring any
701 tax, fee, surcharge or other charge that is imposed by this state,
702 any political subdivision of this state or any intergovernmental
703 agency.

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

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

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

719 (15) The emergency communications service charge provided in
720 Section 6 of this act and the service charge provided in Section
721 19-5-357 to fund the training of public safety telecommunicators
722 shall be the only charges assessed to service providers and
723 customers of service providers relating to emergency
724 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, 2025, 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 thirtieth 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. The Department of Revenue shall pay all remitted emergency communications service charges over to the authority in accordance with Section 3(h) of this act, 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.

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 expend 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. (1) 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.

(2) 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.

(3) The ECD shall have the authority to charge each qualified nonpublic user for costs associated with integrating and inclusion of the nonpublic user into the ECD's system.

SECTION 14. Section 19-5-307, Mississippi Code of 1972, is amended 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.

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

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

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

(6) From and after the adoption of the State NG911 Plan, all emergency communications districts shall purchase, lease or lease-purchase any new equipment used to comply with * * * requirements consistent with the State NG911 Plan from a products and equipment list maintained by the Mississippi Department of

880 Information Technology Services; however, items not available from
881 the list, or items which may be purchased at a lower price, shall
882 be purchased in accordance with the Public Purchasing Law (Section
883 31-7-13).

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

886 19-5-315. * * * (* * *1) The governing authorities of any
887 municipality which has established an emergency communications
888 district under the provisions of a local and private act enacted
889 prior to the effective date of Section 19-5-301 et seq., may merge
890 such district with * * * another ECD, by order duly adopted and
891 entered on the minutes of the governing authority and after the
892 board of supervisors has duly adopted and entered on its minutes a
893 similar order. After the * * * ECD and the municipal districts
894 have been merged, the local and private act for such municipality
895 shall be of no force or effect.

896 (* * *2) Two (2) or more * * * ECDS may, by order duly
897 adopted by each governing authority and entered on their minutes,
898 establish a single emergency communications district to be
899 composed of all of the territory within such * * * ECD provided
900 that * * * each emergency communications district * * * has been
901 established in accordance with Section 19-5-305. When two (2) or
902 more * * * ECDS have established a single * * * ECD as provided
903 under this subsection, the board of commissioners of the district
904 shall * * * be determined by the governing authority of each * * *
905 ECD.

906 (3) A municipality may, in the form of a written agreement
907 between the governing authorities of the municipality and the ECD
908 it seeks to contract with, and with approval from the Mississippi
909 Emergency Communications Authority, join another ECD. Such
910 written agreement shall include that a fair share of funding shall
911 be contributed by the municipality being served to the county
912 operating the emergency communications district. Monies necessary
913 for the fair share of funding shall be generated according to
914 Section 3(7)(j) of this act and Section 8 of this act.

915 (4) An emergency communications district established under
916 this section may serve the jurisdiction of more than one (1)
917 public agency of the county or municipality or, through mutual
918 written agreements, more than one (1) county or municipality.

919 (5) Changes to an ECD's area of service, whether by
920 consolidation, modification or otherwise, through memoranda of
921 understanding shall be provided in writing and in standard GIS
922 data file to MEMA/MECA within ten (10) days of date of change.

923 **SECTION 16.** Section 19-5-317, Mississippi Code of 1972, is
924 amended as follows:

925 19-5-317. (1) When there is not an emergency, no person
926 shall make a * * * call for service to * * * a public safety
927 answering point and knowingly or intentionally:

- 928 (a) Remain silent;
- 929 (b) Make abusive or harassing statements to an
930 emergency telephone service employee;
- 931 (c) Report the existence of an emergency; or

932 (d) Falsely report a crime.

933 (2) No person shall knowingly permit a * * * communications
934 device under his control to be used by another person in a manner
935 described in subsection (1) of this section.

936 (3) Conviction of a first offense under this section is
937 punishable by a fine not to exceed Five Thousand Dollars
938 (\$5,000.00) or by imprisonment for a period of time not to exceed
939 one (1) year, or by both such fine and imprisonment. Conviction
940 of any subsequent offense under this section is punishable by a
941 fine not to exceed Ten Thousand Dollars (\$10,000.00) or by
942 imprisonment for a period of time not to exceed three (3) years,
943 or by both such fine and imprisonment.

944 * * *

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

947 33-15-14. (1) The agency is responsible for maintaining a
948 comprehensive statewide program of emergency management. The
949 agency is responsible for coordination with efforts of the federal
950 government with other departments and agencies of state
951 government, with county and municipal governments and school
952 boards and with private agencies that have a role in emergency
953 management.

954 (2) In performing its duties under this article, the agency
955 shall:

956 (a) Work with the Governor, or his representative, in
957 preparing a State Comprehensive Emergency Management Plan of this

state, which shall be integrated into and coordinated with the emergency management plans of the federal government and of other states to the fullest possible extent, and to coordinate the preparation of plans and programs for emergency management by the political subdivisions of the state, such local plans to be integrated into and coordinated with the emergency plan and program of this state. The plan must contain provisions to ensure that the state is prepared for emergencies and minor, major and catastrophic disasters, and the agency shall work closely with local governments and agencies and organizations with emergency management responsibilities in preparing and maintaining the plan. The State Comprehensive Emergency Management Plan will be operations oriented and:

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

(ii) Include a shelter component that includes specific regional and interregional planning provisions and promotes coordination of shelter activities between the public, private and nonprofit sectors. This component must, at a minimum: contain strategies to ensure the availability of adequate public

shelter space in each region of the state; establish strategies for refuge-of-last-resort programs; provide strategies to assist local emergency management efforts to ensure that adequate staffing plans exist for all shelters, including medical and security personnel; provide for a postdisaster communications system for public shelters; establish model shelter guidelines for operations, registration, inventory, power generation capability, information management and staffing; and set forth policy guidance for sheltering people with special needs.

(iii) Include a postdisaster response and recovery component that includes specific regional and interregional planning provisions and promotes intergovernmental coordination of postdisaster response and recovery activities. This component must provide for postdisaster response and recovery strategies according to whether a disaster is minor, major or catastrophic. The postdisaster response and recovery component must, at a minimum: establish the structure of the state's postdisaster response and recovery organization; establish procedures for activating the state's plan; set forth policies used to guide postdisaster response and recovery activities; describe the chain of command during the postdisaster response and recovery period; describe initial and continuous postdisaster response and recovery actions; identify the roles and responsibilities of each involved agency and organization; provide for a comprehensive communications plan; establish procedures for monitoring mutual aid agreements; provide for rapid impact assessment teams; ensure

1010 the availability of an effective statewide urban search and rescue
1011 program coordinated with the fire services; ensure the existence
1012 of a comprehensive statewide medical care and relief plan
1013 administered by the State Department of Health; and establish
1014 systems for coordinating volunteers and accepting and distributing
1015 donated funds and goods.

1016 (iv) Include additional provisions addressing
1017 aspects of preparedness, response and recovery, as determined
1018 necessary by the agency.

1019 (v) Address the need for coordinated and
1020 expeditious deployment of state resources, including the
1021 Mississippi National Guard. In the case of an imminent major
1022 disaster, procedures should address predeployment of the
1023 Mississippi National Guard, and, in the case of an imminent
1024 catastrophic disaster, procedures should address predeployment of
1025 the Mississippi National Guard and the United States Armed Forces.
1026 This subparagraph (v) does not authorize the agency to call out
1027 and deploy the Mississippi National Guard, which authority and
1028 determination rests solely with the Governor.

1029 (vi) Establish a system of communications and
1030 warning to ensure that the state's population and emergency
1031 management agencies are warned of developing emergency situations
1032 and can communicate emergency response decisions.

1033 (vii) Establish guidelines and schedules for
1034 annual exercises that evaluate the ability of the state and its
1035 political subdivisions to respond to minor, major and catastrophic

disasters and support local emergency management agencies. Such exercises shall be coordinated with local governments and, to the extent possible, the federal government.

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

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

(b) Adopt standards and requirements for county 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.

1061 (d) Review periodically political subdivision emergency
1062 management plans for consistency with the State Comprehensive
1063 Emergency Management Plan and standards and requirements adopted
1064 under this section.

1065 (e) Make recommendations to the Legislature, building
1066 code organizations and political subdivisions for zoning, building
1067 and other land use controls, safety measures for securing mobile
1068 homes or other nonpermanent or semipermanent structures; and other
1069 preparedness, prevention and mitigation measures designed to
1070 eliminate emergencies or reduce their impact.

1071 (f) In accordance with the State Comprehensive
1072 Emergency Management Plan and program for emergency management,
1073 ascertain the requirements of the state, its political
1074 subdivisions and the Mississippi Band of Choctaw Indians for
1075 equipment and supplies of all kinds in the event of an emergency;
1076 plan for and either procure supplies, medicines, materials and
1077 equipment or enter into memoranda of agreement or open purchase
1078 orders that will ensure their availability; and use and employ
1079 from time to time any of the property, services and resources
1080 within the state in accordance with this article.

1081 (g) Anticipate trends and promote innovations that will
1082 enhance the emergency management system.

1083 (h) Prepare and distribute to appropriate state and
1084 local officials catalogs of federal, state and private assistance
1085 programs.

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

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

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

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

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

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

(o) Require each county or municipality to designate an agent for working with the agency in the event of a natural

1112 disaster. The county or municipality may designate any person as
1113 agent who has completed training programs required of emergency
1114 management directors.

1115 (p) Report biennially to the Governor and the President
1116 of the Senate, and the Speaker of the House of Representatives, no
1117 later than January 1 of every odd-numbered year, the status of the
1118 emergency management capabilities of the state and its political
1119 subdivisions.

1120 (q) In accordance with Section 25-43-1 et seq., create,
1121 implement, administer, promulgate, amend and rescind rules,
1122 programs and plans needed to carry out the provisions of this
1123 article with due consideration for, and in cooperating with, the
1124 plans and programs of the federal government.

1125 (r) Have the sole power and discretion to enter into,
1126 sign, execute and deliver long-term or multiyear leases of real
1127 and personal property with other state and federal agencies.

1128 (s) Do other things necessary, incidental or
1129 appropriate for the implementation of this article.

1130 (t) In accordance with Section 33-15-15, create,
1131 implement, administer, promulgate, amend and rescind rules
1132 regarding the development of the Mississippi Disaster Reservist
1133 Program.

1134 (u) Unless otherwise instructed by the Governor,
1135 sponsor and develop mutual aid plans and agreements between the
1136 political subdivisions of the state and the Mississippi Band of

Choctaw Indians similar to the mutual aid arrangements with other states referenced in Section 33-15-11(b)(10).

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

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

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

(b) The director, with the approval of the Governor, may 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 19-5-303, Mississippi Code of 1972, which provides definitions, is hereby repealed.

SECTION 20. Section 19-5-311, Mississippi Code of 1972, which provides for responding to emergency calls, is hereby repealed.

SECTION 21. Section 19-5-313, Mississippi Code of 1972, which provides for emergency telephone services charges, is hereby repealed.

SECTION 22. Section 19-5-331, Mississippi Code of 1972, which defines certain terms as used in the provisions providing for enhanced wireless emergency telephone service, is hereby repealed.

SECTION 23. Section 19-5-333, Mississippi Code of 1972, is amended as follows:

19-5-333. (1) There is created a Commercial Mobile Radio Service (CMRS) Board, consisting of eight (8) members to be

appointed by the Governor with the advice and consent of the Senate. The members of the board shall be appointed as follows:

(a) One (1) member from the Northern Public Service Commission District selected from two (2) nominees submitted to the Governor by the Mississippi 911 Coordinators Association;

(b) One (1) member from the Central Public Service Commission District selected from two (2) nominees submitted to the Governor by the Mississippi Chapter of the Association of Public Safety Communication Officers;

(c) One (1) member from the Southern Public Service Commission District selected from two (2) nominees submitted to the Governor by the National Emergency Numbering Association;

(d) Two (2) members who are wireless provider representatives;

(e) One (1) member who is a consumer representing the state at large with no affiliation to the three (3) trade associations or the wireless providers;

(f) One (1) member who is a member of the Mississippi Law Enforcement Officers Association selected from two (2) nominees submitted to the Governor by the association; and

(g) One (1) member who is a member of the Mississippi Association of Supervisors selected from two (2) nominees submitted to the Governor by the association.

The initial terms of the board members, as appointed after July 1, 2002, shall be staggered as follows: The members appointed under paragraph (d) shall serve a term of two (2) years;

the member appointed under paragraph (e) shall serve a term of one (1) year. After the expiration of the initial terms, the term for all members shall be four (4) years.

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

* * *

(* * *a) To * * * maintain the CMRS Fund as an insured, interest-bearing account * * *. The revenues which are deposited into the CMRS Fund shall not be monies or property of the state and shall not be subject to appropriation by the Legislature, except for purposes of transferring funds to the NG911 CMRS Grant Fund. Interest derived from the CMRS Fund * * * may be used to compensate those persons, parties or firms employed by the CMRS Board * * *.

(* * *b) To * * * distribute funds from the CMRS Fund, * * * which shall be used to defray the administrative expenses of the board * * * and to pay the actual costs incurred by such CMRS providers in complying with the wireless E911 service requirements established by the FCC Order and any rules and regulations which are or may be adopted by the FCC pursuant to the FCC Order, including, but not limited to, costs and expenses incurred for designing, upgrading, purchasing, leasing, programming, installing, testing or maintaining all necessary data, hardware and software required in order to provide such service as well as the incremental costs of operating such service. Sworn invoices must be presented to the board in connection with any request for payment and approved by a majority

1240 vote of the board prior to any such disbursement, which approval
1241 shall not be withheld or delayed unreasonably. In no event shall
1242 any invoice for payment be approved for the payment of costs that
1243 are not related to compliance with the wireless E911 service
1244 requirements established by the FCC Order and any rules and
1245 regulations which are or may be adopted by the FCC pursuant to the
1246 FCC Order, and any rules and regulations which may be adopted by
1247 the FCC with respect to implementation of wireless E911 services.

1248 * * *

1249 (* * *c) To contract for the services of accountants,
1250 attorneys, consultants, engineers and any other persons, firms or
1251 parties the board deems necessary * * *.

1252 * * *

1253 (* * *3) The board shall serve without compensation;
1254 however, members of the board shall be entitled to be reimbursed
1255 for actual expenses and travel costs associated with their service
1256 in an amount not to exceed the reimbursement authorized for state
1257 officers and employees in Section 25-3-41 * * *.

1258 (* * *4) * * * This section shall stand repealed on June
1259 30, 2028.

1260 **SECTION 24.** Section 19-5-335, Mississippi Code of 1972,
1261 which provides for the collection of services charges by the
1262 Commercial Mobile Radio Service Board and requires registration of
1263 Commercial Mobile Radio Service providers, is hereby repealed.

1264 **SECTION 25.** Section 19-5-337, Mississippi Code of 1972,
1265 which provides for the confidentiality of proprietary information

1266 submitted to the Commercial Mobile Radio Service Board, is hereby
1267 repealed.

1268 **SECTION 26.** Section 19-5-339, Mississippi Code of 1972,
1269 which provides for the requirement to provide enhanced 911
1270 service, is hereby repealed.

1271 **SECTION 27.** Section 19-5-341, Mississippi Code of 1972,
1272 which makes it an offense and provides criminal penalties for
1273 using wireless emergency telephone service for personal use, is
1274 hereby repealed.

1275 **SECTION 28.** Section 19-5-343, Mississippi Code of 1972,
1276 which provides for the collection and remittance of prepaid
1277 wireless E911 charges, is hereby repealed.

1278 **SECTION 29.** This act shall take effect and be in force from
1279 and after July 1, 2025, and shall stand repealed on June 30, 2025.

**Further, amend by striking the title in its entirety and
inserting in lieu thereof the following:**

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 AMEND SECTION 19-5-333,
34 MISSISSIPPI CODE OF 1972, TO REVISE THE POWERS AND DUTIES OF THE
35 COMMERCIAL MOBILE RADIO SERVICE (CMRS) BOARD; TO REPEAL SECTIONS
36 19-5-303, 19-5-311, 19-5-313, 19-5-331, 19-5-335, 19-5-337,
37 19-5-339, 19-5-341, 19-5-343, MISSISSIPPI CODE OF 1972, RELATED TO
38 THE EMERGENCY TELEPHONE SERVICE; AND FOR RELATED PURPOSES.

HR26\SB2835A.J

Andrew Ketchings
Clerk of the House of Representatives