§2927-A. 9-1-1 funding

1. Funding. The activities authorized under this chapter are funded through:

A. The statewide 9-1-1 surcharge under subsection 2 levied on:

(1) Each residential and business telephone exchange line, including private branch exchange lines and Centrex lines;

(2) Semipublic coin and public access lines;

(3) Customers of interconnected voice over Internet protocol service; and

(4) Customers of cellular or wireless telecommunications service that is not a prepaid wireless telecommunications service. A surcharge may not be levied under this subparagraph with respect to customers of cellular or wireless telecommunications service that is supported by federal universal service support funds pursuant to 47 Code of Federal Regulations, Part 54; and [PL 2025, c. 167, §24 (NEW).]

B. The statewide prepaid wireless telecommunications service 9-1-1 surcharge under subsection 3 levied on prepaid wireless telecommunications service customers. A surcharge may not be levied under this paragraph with respect to prepaid wireless telecommunications service supported by federal universal service support funds pursuant to 47 Code of Federal Regulations, Part 54, except that a surcharge may be levied under this paragraph on transactions in which the customer directly purchases optional services that are not supported by federal universal service support funds. [PL 2025, c. 167, §24 (NEW).]

[PL 2025, c. 167, §24 (NEW).]

2. Statewide 9-1-1 surcharge. The statewide 9-1-1 surcharge is governed by this subsection.

A. The Public Utilities Commission shall establish the statewide 9-1-1 surcharge, except that the statewide 9-1-1 surcharge may not exceed 35¢ per month per line or number. The commission shall establish the statewide 9-1-1 surcharge by rule or through other commission proceedings. The statewide 9-1-1 surcharge may not be imposed on more than 25 lines or numbers per customer billing account. [PL 2025, c. 167, §24 (NEW).]

B. The statewide 9-1-1 surcharge must be collected from the customer according to subsection 1, paragraph A on a monthly basis by each local exchange telephone utility, cellular or wireless telecommunications service provider and interconnected voice over Internet protocol service provider and be shown separately as a statewide 9-1-1 surcharge on the customer's bill, when practicable. In circumstances in which separately showing the statewide 9-1-1 surcharge on a customer's bill is not practicable, the local exchange telephone utility, cellular or wireless telecommunications service provider or interconnected voice over Internet protocol service provider must make the information regarding the amount of the 9-1-1 surcharge available to the customer in another manner. [PL 2025, c. 167, §24 (NEW).]

C. The place of residence of cellular or wireless telecommunications service customers who are not prepaid wireless telecommunications service customers must be determined according to the sourcing rules for mobile telecommunications services as set forth in Title 36, section 2556. [PL 2025, c. 167, §24 (NEW).]

[PL 2025, c. 167, §24 (NEW).]

3. Statewide prepaid wireless telecommunications service 9-1-1 surcharge. The statewide prepaid wireless telecommunications service 9-1-1 surcharge, referred to in this subsection as "the prepaid wireless 9-1-1 surcharge," is governed by this subsection.

The Public Utilities Commission shall establish the prepaid wireless 9-1-1 surcharge, except that the prepaid wireless 9-1-1 surcharge may not exceed 35¢ per retail transaction. The commission shall establish the prepaid wireless 9-1-1 surcharge by rule or through other commission proceedings.
[PL 2025, c. 167, §24 (NEW).]

4. 9-1-1 funding obligation; limitation. The statewide 9-1-1 surcharge imposed by subsection 2 and the prepaid wireless 9-1-1 surcharge imposed by subsection 3 are the only 9-1-1 funding obligations imposed with respect to telecommunications service in this State, and another tax, fee, surcharge or other charge may not be imposed by this State, a political subdivision of this State or an intergovernmental agency for funding 9-1-1 purposes on any telecommunications service with respect to the sale, purchase, use or provision of that telecommunications service.
[PL 2025, c. 167, §24 (NEW).]

5. Surcharge remittance. Each local exchange telephone utility, cellular or wireless telecommunications service provider and interconnected voice over Internet protocol service provider shall remit the statewide 9-1-1 surcharge revenues collected from customers pursuant to subsection 1 on a monthly basis and within one month of the month collected, except that a utility or provider whose average monthly surcharge remittance payment for the prior calendar year is less than $5,000 shall remit the 9-1-1 surcharge revenues on a quarterly basis, to the Treasurer of State for deposit in a separate account known as and referred to in this section as "the 9-1-1 fund." Each telephone utility or service provider required to remit statewide 9-1-1 surcharge revenues shall provide, on a form approved by the bureau, supporting data, including, but not limited to, the following:

A. The calculation used to arrive at the surcharge remittance amount; [PL 2025, c. 167, §24 (NEW).]

B. The calculation used to arrive at the uncollectible amount of surcharge; [PL 2025, c. 167, §24 (NEW).]

C. The total surcharge; [PL 2025, c. 167, §24 (NEW).]

D. The month and year or the quarter and year for which a surcharge is remitted; [PL 2025, c. 167, §24 (NEW).]

E. The legal name and telephone number of the telephone utility or service provider and, if applicable, the parent company name, address and telephone number; and [PL 2025, c. 167, §24 (NEW).]

F. The name and telephone number of the person who prepared the form. [PL 2025, c. 167, §24 (NEW).]

Prepaid wireless 9-1-1 surcharges collected by sellers must be remitted to the State Tax Assessor in accordance with Title 35-A, section 7104-C.
[PL 2025, c. 167, §24 (NEW).]

6. Expenditure of funds. All costs incurred by the bureau under this subsection must be paid from the 9-1-1 fund.

A. The bureau may use the revenues in the 9-1-1 fund to:

(1) Fund staff;

(2) Defray the costs associated with the implementation, operation and management of 9-1-1, including the deployment of 9-1-1 service using emerging communications technologies, including, but not limited to, Internet protocol enabled services, that are capable of connecting users to public safety answering points; and

(3) Defray the costs, including necessary staffing costs, of the Emergency Medical Services' Board in implementing the requirements of Title 32, section 85-A through the transfer of funds

to the Other Special Revenue Funds, Emergency Medical Services account within the Department of Public Safety. [PL 2025, c. 167, §24 (NEW).]

B. The bureau shall use the revenues in the 9-1-1 fund to:

(1) Provide free training courses for emergency medical dispatchers, as defined in Title 32, section 85-A, subsection 1, paragraph D, to assist public safety answering points in meeting the requirements of Title 32, section 85-A;

(2) Provide each public safety answering point a sufficient number of approved Emergency Medical Dispatch Priority Reference System documents in printed or electronic format, as determined by the bureau pursuant to Title 32, section 85-A;

(3) Provide public safety answering points dispatcher training consistent with the protocols, necessary software and printed support materials to assist public safety answering points in the adoption and implementation of standardized dispatch protocols for answering fire 9-1-1 calls;

(4) Provide quality assurance training and software to assist public safety answering points in ensuring compliance with the standardized dispatch protocols for answering fire 9-1-1 calls;

(5) Provide, subject to available funds not to exceed $1,000,000 per biennium, grants for nonrecurring costs to:

(a) Dispatch centers associated with the consolidation of the dispatch centers into public safety answering points;

(b) Consolidate 2 or more public safety answering points and dispatch centers into a new regional public safety answering point and dispatch center; or

(c) Transfer a public safety answering point and all of its dispatch services to another existing public safety answering point; and

(6) Contract with one or more 3rd-party vendors to provide quality assurance review in accordance with rules adopted pursuant to subsection 11 and Title 32, section 85-A, subsection 2 related to the provision of emergency medical dispatch services and answering fire 9-1-1 calls by public safety answering points. [PL 2025, c. 167, §24 (NEW).]

[PL 2025, c. 167, §24 (NEW).]

7. Unexpended funds; interest. The amount of the 9-1-1 fund not expended by the end of the fiscal year may not lapse but must be carried forward to be expended for the purposes specified in this chapter in succeeding fiscal years. The Treasurer of State shall credit all interest on fund balances to the 9-1-1 fund.

[PL 2025, c. 167, §24 (NEW).]

8. Legislative annual report. The bureau shall include in the Public Utilities Commission's annual report pursuant to Title 35-A, section 120, subsection 7 to the joint standing committee of the Legislature having jurisdiction over utilities and energy matters:

A. The bureau's planned expenditures for the year and use of funds for the previous year; [PL 2025, c. 167, §24 (NEW).]

B. The statewide 9-1-1 surcharge collected under this section; [PL 2025, c. 167, §24 (NEW).]

C. The bureau's recommended statewide 9-1-1 surcharge for the coming year; [PL 2025, c. 167, §24 (NEW).]

D. The bureau's recommendations for amending existing and enacting new laws to improve the 9-1-1 system; and [PL 2025, c. 167, §24 (NEW).]

E. The performance of each of the public safety answering points in the State during the previous calendar year, including the results of the bureau's quality assurance program audits under section

2926, subsection 1-A and any recommendations of the bureau relating to the emergency dispatching standards, practices and procedures of public safety answering points. [PL 2025, c. 167, §24 (NEW).]

[PL 2025, c. 167, §24 (NEW).]

9. Committee recommendations; budget. The joint standing committee of the Legislature having jurisdiction over utilities and energy matters shall make recommendations to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs regarding all expenditures from the 9-1-1 fund.

[PL 2025, c. 167, §24 (NEW).]

10. Violations. A telephone utility, a cellular or wireless telecommunications service provider, including a prepaid wireless telephone service provider, or an interconnected voice over Internet protocol service provider subject to this section that intentionally and knowingly fails to remit the statewide 9-1-1 surcharge revenues collected under this section commits a civil violation for which a fine of not more than $500 may be adjudged for each day that payment is not made after the due date.

[PL 2025, c. 167, §24 (NEW).]

11. Rules. The Public Utilities Commission shall adopt rules necessary to implement the provisions of this section. Rules adopted under this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

[PL 2025, c. 167, §24 (NEW).]

SECTION HISTORY

PL 2025, c. 167, §24 (NEW).

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