



1 relay bureau or accessing a 911 system through some  
2 other means; and

3 (2) Provides enhanced 911 service.

4 "Automatic location identification" means [~~a wireless~~] an  
5 enhanced 911 service capability that enables the automatic  
6 display of information indicating the address or approximate  
7 geographic location of the [~~wireless telephone~~] communication  
8 device used to place a 911 call [~~in accordance with the Federal~~  
9 ~~Communications Commission Order~~].

10 "Automatic number identification" means [~~a wireless~~] an  
11 enhanced 911 service capability that enables the automatic  
12 display of the ten-digit [~~wireless~~] telephone number [~~used to~~  
13 ~~place a 911 call in accordance with the Federal Communications~~  
14 ~~Commission order.~~] or some other unique identifier of the device  
15 from which a 911 call is placed.

16 "Board" means the [~~wireless~~] enhanced 911 board established  
17 under this chapter.

18 "Call" means any communication, message, signal, or  
19 transmission.

20 "Commercial mobile radio service" means commercial mobile  
21 radio service under sections 3(27) and 332(d) of the Federal  
22 Telecommunications Act of 1996, 47 U.S.C. 151 et seq., and the



1 Omnibus Budget Reconciliation Act of 1993, P.L. 103-66, August  
2 10, 1993, 107 Stat. 312.

3 "Commercial mobile radio service connection" means each  
4 active wireless telephone number assigned to a commercial mobile  
5 radio service customer, including end-users of resellers whose  
6 place of primary use is within the State.

7 [~~"Federal Communications Commission order" means the~~  
8 ~~original order issued in the Federal Communications Commission~~  
9 ~~Docket No. 94-102 governing wireless enhanced 911 service and~~  
10 ~~any other Federal Communication Commission orders related to the~~  
11 ~~provision of wireless enhanced 911 service.]~~

12 "Communications service" means a service capable of  
13 accessing, connecting with, or interfacing with a 911 system, by  
14 dialing, initializing, or otherwise activating the 911 system by  
15 means of a local telephone device, commercial mobile radio  
16 service device, interconnected voice over internet protocol  
17 device, indirect communication through a service bureau or call  
18 relay service, such as alarm companies or any other means.

19 "Communications service connection" means each telephone  
20 number or device's unique identifier assigned to a residential  
21 or commercial subscriber by a communications service provider,  
22 without regard to technology deployed.



1        "Communications service provider" means an entity that  
2 provides communications service to a subscriber.

3        "Competitive local exchange carrier" means an alternative  
4 provider of local communication services other than the  
5 incumbent local exchange carrier.

6        "Database service provider" means a service supplier who  
7 maintains and supplies or contracts to maintain and supply an  
8 automatic information location database or master street address  
9 guide.

10       "Enhanced 911 fund" or "fund" means the special fund  
11 established by section 138-3.

12       "Enhanced 911 service costs" means all capital,  
13 nonrecurring, and recurring costs directly related to the  
14 implementation, operation, and administration of enhanced 911  
15 services.

16       "Interconnected voice over internet protocol" or "voice  
17 over internet protocol" means a service that:

- 18       (1) Enables real-time, two-way voice communications;  
19       (2) Requires a broadband connection from the user's  
20       location;  
21       (3) Requires internet protocol-compatible customer  
22       premises equipment; and



1        (4) Permits users generally to receive calls that  
2                    originate on the public switched telephone network and  
3                    to terminate calls to the public switched telephone  
4                    network.

5        "Interconnected voice over internet protocol service  
6 provider" means an entity that provides interconnected voice  
7 over internet protocol service.

8        "Prepaid connections" means the sale of a communications  
9 service that is paid for in advance or sold in predetermined  
10 units of which the number of units declines with use of the  
11 services.

12        "Proprietary information" means customer lists and other  
13 related information (including the number of customers),  
14 technology descriptions, technical information, or trade  
15 secrets, and the actual or developmental costs of [wireless]  
16 enhanced 911 service that are developed, produced, or received  
17 internally by a [wireless] communications service provider or by  
18 a provider's employees, directors, officers, or agents.

19        "Public safety agency" means a functional division of [the  
20 ~~State or county~~] a governmental entity that provides or has  
21 authority to provide, or a private entity contracted by a [State



1 or county] governmental entity that provides, firefighting, law  
2 enforcement, ambulance, medical, or other emergency services.

3 "Public safety answering point" means the public safety  
4 agency that receives incoming 911 calls and dispatches  
5 appropriate public safety agencies to respond to those calls.

6 "Reseller" means a person or entity that purchases  
7 [~~commercial mobile radio service~~] communications services from a  
8 [~~wireless~~] communications service provider for the purpose of  
9 reselling [~~commercial mobile radio service~~] communications  
10 services to end-users.

11 [~~"Wireless enhanced 911 commercial mobile radio service~~  
12 ~~costs"~~ means all capital, nonrecurring, and recurring costs  
13 directly related to the implementation and operation of phase I  
14 or phase II wireless enhanced 911 services pursuant to the  
15 Federal Communications Commission order.

16 "~~Wireless enhanced 911 fund" or "fund"~~ means the statewide  
17 special fund established to ensure adequate cost recovery for  
18 the deployment of phase I and phase II wireless enhanced 911  
19 service in Hawaii.

20 "~~Wireless provider"~~ means a person or entity that is  
21 authorized by the Federal Communications Commission to provide



1 ~~facilities based commercial mobile radio service within the~~  
2 ~~State.]~~

3 "Universal emergency number service" or "911 service" means  
4 public communications service that provides service users with  
5 the ability to reach a public safety answering point by  
6 accessing a 911 system.

7 ~~[+]§138-2[+]~~ ~~[Wireless enhanced]~~ Enhanced 911 board. (a)  
8 There is created within the department of accounting and general  
9 services, for administrative purposes, ~~[a wireless]~~ an enhanced  
10 911 board consisting of ~~[eleven]~~ thirteen voting members;  
11 provided that the membership shall consist of:

- 12 (1) The comptroller or the comptroller's designee;
- 13 (2) Three representatives from the wireless communications  
14 service providers, who shall be appointed by the  
15 governor as provided in section 26-34 ~~[, except as~~  
16 ~~otherwise provided by law]~~;
- 17 (3) One representative each from the public safety  
18 answering points for Oahu, Hawaii, Kauai, Maui, and  
19 Molokai ~~[, who shall be appointed by the governor,]~~ and  
20 one representative, chosen by the mayor of the city  
21 and county of Honolulu, who shall be appointed by the  
22 governor as provided in section 26-34 ~~[except as~~



1 otherwise provided by law, from a list of five names  
2 submitted by each respective public safety answering  
3 point];

4 (4) The consumer advocate or the consumer advocate's  
5 designee; [and]

6 (5) One representative from a communications service  
7 company that offers interconnected voice over internet  
8 protocol services, who shall be appointed by the  
9 governor as provided in section 26-34; and

10 [~~5~~] (6) One representative of the current [wireline  
11 ~~provider of enhanced 911.~~] local exchange carrier.

12 (b) [~~Six members~~] A simple majority shall constitute a  
13 quorum, whose affirmative vote shall be necessary for all  
14 actions by the board.

15 (c) The chairperson of the board shall be elected by the  
16 members of the board by simple majority and shall serve a term  
17 of one year.

18 (d) The board shall meet upon the call of the chairperson,  
19 but not less than quarterly.

20 (e) The members representing wireless, local exchange  
21 carrier, and interconnected voice over internet protocol service  
22 providers shall be appointed by the governor for terms of two





1 years [~~7, except that terms of the two members initially appointed~~  
2 ~~shall be for eighteen months~~].

3 (f) Each member shall hold office until the member's  
4 successor is appointed and qualified. Section 26-34 shall apply  
5 only insofar as it relates to succession, vacancies, and  
6 suspension of board members, and as provided in subsection (a).

7 (g) The board may adopt rules under chapter 91 as  
8 necessary to carry out the purposes of this chapter.

9 [~~g~~] (h) The members shall serve without compensation.  
10 Members shall be entitled to reimbursements from the [~~wireless~~]  
11 enhanced 911 fund for reasonable traveling expenses incurred in  
12 connection with the performance of board duties.

13 [~~h~~] (i) The board or its chairperson, with the approval  
14 of the board, may retain independent, third-party accounting  
15 firms, consultants, or other third party to:

- 16 (1) Create reports, make payments into the fund, process
- 17 checks, and make distributions from the fund, as
- 18 directed by the board and as allowed by this chapter;
- 19 and
- 20 (2) Perform administrative duties necessary to administer
- 21 the fund or oversee operations of the board, including
- 22 providing technical advisory support~~[-]~~; provided that



1           no third-party accounting firm, consultant, or other  
2           third party hired to perform these administrative  
3           duties may be retained if the accounting firm,  
4           consultant, or other third party, either directly or  
5           indirectly, has a conflict of interest or is  
6           affiliated with the management of or owns a pecuniary  
7           interest in any entity subject to the provisions of  
8           this chapter.

9           ~~[(i)]~~ (j) The board shall develop reasonable procedures to  
10          ensure that all ~~[wireless providers]~~ members receive adequate  
11          notice of board meetings and information concerning board  
12          decisions.

13          ~~[\$138-3]~~ ~~Wireless enhanced~~ Enhanced 911 fund. There  
14          is established outside the state treasury a special fund, to be  
15          known as the ~~[wireless]~~ enhanced 911 fund, to be administered by  
16          the board. The fund shall consist of amounts collected under  
17          section 138-4. The board shall place the funds in an interest-  
18          bearing account at any federally insured financial institution,  
19          separate and apart from the general fund of the State. Moneys  
20          in the fund shall be expended exclusively by the board for the  
21          purposes of ensuring adequate ~~[cost recovery for the deployment,~~  
22          ~~of phase I and phase II wireless]~~ funding to deploy and sustain



1 enhanced 911 service, to develop and fund future enhanced 911  
2 technologies, and for expenses of administering the fund. [Any  
3 funds that accumulate in the wireless enhanced 911 fund shall be  
4 retained in the fund unless determined by the legislature to be  
5 in excess.]

6 ~~{}~~§138-4~~{}~~ **Surcharge.** (a) A monthly [wireless]  
7 enhanced 911 surcharge, subject to this chapter, shall be  
8 imposed upon each [~~commercial mobile radio~~] communications  
9 service connection~~[-]~~, except connections of the local exchange  
10 carrier providing land line enhanced 911 services through  
11 section 269-16.95.

12 (b) [~~The effective date of the surcharge shall be July 1,~~  
13 ~~2004.~~] The rate of the surcharge shall be set at 66 cents per  
14 month for each [~~commercial mobile radio~~] communications service  
15 connection. The surcharge shall have uniform application and  
16 shall be imposed on each [~~commercial mobile radio~~]  
17 communications service connection operating within the State  
18 except:

- 19 (1) Connections billed to federal, state, and county  
20 governmental entities; [~~and~~]  
21 (2) Prepaid connections ~~[-]~~; or



1       (3) Local exchange carrier providing land line enhanced  
2           911 services through section 269-16.95.

3       (c) All [~~wireless~~] communications service providers and  
4 resellers shall bill to and collect from each of their customers  
5 a monthly surcharge at the rate established for each [~~commercial~~  
6 ~~mobile radio~~] communications service connection. The [~~wireless~~]  
7 communications service provider or reseller may list the  
8 surcharge as a separate line item on each bill. If a [~~wireless~~]  
9 communications service provider or reseller receives a partial  
10 payment for a monthly bill from a [~~commercial mobile radio~~]  
11 communications service customer, the [~~wireless~~] communications  
12 service provider or reseller shall apply the payment against the  
13 amount the customer owes the [~~wireless~~] communications service  
14 provider or reseller, before applying the partial payment  
15 against the surcharge.

16       (d) A [~~wireless~~] communications service provider that:

17       (1) Is collecting the surcharge and remitting appropriate  
18 portions of the surcharge to the fund pursuant to this  
19 chapter; and

20       (2) Has been requested by a public safety answering point  
21 to provide [~~phase I or phase II wireless~~] enhanced 911  
22 service in a particular county or counties,



1 may recover [wireless] enhanced 911 [~~commercial mobile radio~~]  
2 service costs as provided in this chapter.

3 (e) Each [wireless] communications service provider or  
4 reseller may retain two per cent of the amount of surcharges  
5 collected to offset administrative expenses associated with  
6 billing and collecting the surcharge.

7 (f) A [wireless] communications service provider or  
8 reseller shall remit to the [wireless] enhanced 911 fund, within  
9 sixty days after the end of the calendar month in which the  
10 surcharge is collected, an amount that represents the surcharges  
11 collected less amounts retained for administrative expenses  
12 incurred by the [wireless] communications service provider or  
13 reseller, as provided in subsection (e).

14 (g) A public utility providing local exchange enhanced 911  
15 communication services for its customer base and other service  
16 providers using the wire line provider's enhanced 911 service  
17 may collect and retain the surcharge at the established rate set  
18 forth in section 269-16.95.

19 [(g)] (h) The surcharges collected by the [wireless]  
20 communications service provider or reseller pursuant to this  
21 section shall not be subject to any tax, fee, or assessment, nor  
22 are they considered revenue of the provider or reseller.



1           ~~[(h)]~~ (i) Each customer who is subject to this chapter  
2 shall be liable to the State for the surcharge until it has been  
3 paid to the ~~[wireless]~~ communications service provider.

4 ~~[Wireless]~~ Communications service providers shall have no  
5 liability to remit surcharges that have not been paid by  
6 customers. A ~~[wireless]~~ communications service provider or  
7 reseller shall have no obligation to take any legal action to  
8 enforce the collection of the surcharge for which any customer  
9 is billed. However, the board may initiate a collection action  
10 against the customer. If the board prevails in such a  
11 collection action, reasonable attorney's fees and costs shall be  
12 awarded.

13           ~~[(i)]~~ (j) At any time the members deem it necessary and  
14 appropriate, the board may meet to make recommendations to the  
15 legislature as to whether the surcharge and fund should be  
16 discontinued, continued as is, or amended.

17           ~~[(j)]~~ (k) When considering whether to discontinue,  
18 continue as is, or amend the fund or surcharge, the board's  
19 recommendations shall be based on the latest available  
20 information concerning costs associated with providing  
21 ~~[wireless] enhanced 911 service [in accordance with the Federal~~  
22 ~~Communications Commission order]~~.



1           ~~[§138-5]~~ Recovery Disbursements from the fund. (a)  
2   ~~[After January 1, 2005, every]~~ Every public safety answering  
3   point shall be eligible to seek ~~[reimbursement]~~ disbursements  
4   from the fund ~~[solely]~~ to pay for the reasonable costs to lease,  
5   purchase, or maintain all necessary equipment, including  
6   computer hardware, software, and database provisioning, required  
7   by the public safety answering point to provide technical  
8   functionality for the ~~[wireless]~~ enhanced 911 service ~~[pursuant~~  
9   ~~to the Federal Communications Commission order]~~. Reasonable  
10 costs may include expenses directly associated with the planning  
11 phases and training of personnel in any new and emerging  
12 technologies involving enhanced 911. All other expenses  
13 necessary to operate the public safety answering point,  
14 including but not limited to those expenses related to overhead,  
15 staffing, and other day-to-day operational expenses, shall  
16 continue to be paid through the general funding of the  
17 respective counties.

18           (b) Every public safety answering point shall be eligible  
19 to seek disbursements from the fund to pay for the reasonable  
20 costs associated with having representatives, other than  
21 enhanced 911 board members, on enhanced 911 board committees,  
22 including established and investigative committees.



1       ~~[(b) After January 1, 2005, each wireless]~~ (c) Each  
2 communications service provider may request reimbursement from  
3 the fund of ~~[wireless]~~ enhanced 911 ~~[commercial mobile radio]~~  
4 service costs incurred; provided that the costs:

- 5           (1) Are recoverable under section 138-4(d); and  
6           (2) Have not already been reimbursed to the ~~[wireless]~~  
7           communications service provider from the fund.

8 In no event shall a ~~[wireless]~~ communications service provider  
9 be reimbursed for any amount above its actual ~~[wireless]~~  
10 enhanced 911 ~~[commercial mobile radio]~~ communications service  
11 costs allowed to be recovered under section 138-4(d).

12       (d) Every communications service provider may seek  
13 disbursements from the fund to pay for the reasonable costs  
14 associated with having representatives, other than board  
15 members, on board committees, including established and  
16 investigative committees.

17       ~~[-(e)]~~ (e) After the expenses of the board are paid, the  
18 public safety answering points shall be allocated two-thirds of  
19 the remaining balance of the fund. The remaining one-third  
20 shall be available for ~~[wireless]~~ communications service  
21 provider cost recovery. The board shall determine the  
22 reimbursement amounts for the public safety answering points,





1 based on the limitations set forth in section 138-5(a). The  
2 reimbursement level for each [wireless] communications service  
3 provider shall be limited:

4 (1) To one third of the total contribution made by the  
5 [wireless] individual communications service provider  
6 ~~[to the wireless provider cost recovery portion of]~~  
7 into the fund; provided that this method of direct  
8 reimbursement shall not be available to the provider  
9 of wire line enhanced 911; and

10 (2) As provided in ~~[section 138-5(b).]~~ subsection (c).

11 ~~[+]~~**\$138-6**~~[+]~~ **Report to the legislature.** The board shall  
12 submit an annual report to the legislature, including:

13 (1) The total aggregate surcharge collected by the State  
14 in the last fiscal year;

15 (2) The amount of disbursement from the fund;

16 (3) The recipient of each disbursement and a description  
17 of the project for which the money was disbursed;

18 (4) The conditions, if any, placed by the board on  
19 disbursements from the fund;

20 (5) The planned expenditures from the fund in the next  
21 fiscal year;



1 (6) The amount of any unexpended funds carried forward for  
2 the next fiscal year;

3 (7) A cost study to guide the legislature towards  
4 necessary adjustments to the fund and the monthly  
5 surcharge; and

6 (8) A [~~progress~~] status report of jurisdictional  
7 [~~readiness~~] capabilities for [~~wireless E911~~] enhanced  
8 911 services, including public safety answering  
9 points [~~, wireless providers,~~] and [~~wireline~~]  
10 communications service providers. [~~The report shall~~  
11 ~~include the status of requirements outlined in the~~  
12 ~~Federal Communications Commission Order 94-102 and~~  
13 ~~subsequent supporting orders related to phase I and~~  
14 ~~phase II wireless 911 services.~~]

15 **[+]~~§138-7 Audits.~~[+]** (a) During any period in which [~~a~~  
16 ~~wireless~~] an enhanced 911 surcharge is imposed upon customers,  
17 the board may request an audited report prepared by an  
18 independent certified public accountant that demonstrates that  
19 the request for cost recovery from public safety answering  
20 points and [~~wireless~~] communications service providers recovers  
21 only costs and expenses directly related to the provision of  
22 [~~phase I or phase II wireless~~] enhanced 911 service as



1 authorized by this chapter. The cost of the audited reports  
2 shall be considered expenses of the board. The board shall  
3 prevent public disclosure of proprietary information contained  
4 in the audited report, unless required by court order or  
5 appropriate administrative agency decision.

6 (b) The board shall select an independent third party to  
7 audit the fund every two years to determine whether the fund is  
8 being managed in accordance with this chapter. The board may  
9 use the audit to determine whether the amount of the surcharge  
10 assessed on each [~~commercial mobile radio~~] communications  
11 service connection is required to be adjusted. The costs of the  
12 audit shall be an administrative cost of the board recoverable  
13 from the fund.

14 [†]§138-8[†] **Proprietary information.** (a) All  
15 proprietary information submitted to the board by any third  
16 party used by the board in connection with its duties or any  
17 public safety answering point in deploying [~~wireless~~] enhanced  
18 911 service shall be retained in confidence. Proprietary  
19 information submitted pursuant to this chapter shall not be  
20 released to any person, other than to the submitting [~~wireless~~]  
21 communications service provider or reseller, the board, or any  
22 independent, third-party accounting firm retained by the board,



1 without the express permission of the submitting [wireless]  
2 communications service provider or reseller. General  
3 information collected by the board shall be released or  
4 published only in aggregate amounts that do not identify or  
5 allow identification of numbers of subscribers or revenues  
6 attributable to an individual [wireless] communications service  
7 provider.

8 (b) The board, any third parties it may retain, and any  
9 public safety answering point shall take appropriate measures to  
10 maintain the confidentiality of the proprietary information that  
11 may be submitted by a [wireless] communications service  
12 provider. The board shall hold all propriety information in  
13 confidence and shall adopt reasonable procedures to prevent  
14 disclosure or providing access to the proprietary information to  
15 the public and competitors, including members of the board  
16 representing other [wireless] communications service providers.  
17 Members of the board shall not disclose the information to any  
18 third parties, including their employers, without the written  
19 consent of the [wireless] communications service provider whose  
20 proprietary information is to be disclosed.

21 (c) A committee consisting of all board members, except  
22 the [~~three wireless~~] communications service provider



1 representatives, shall have the power to act for the board on  
2 the specific matters defined by the board, when at least two-  
3 thirds of the members of the board determine that a board action  
4 may be conducted by the committee to prevent disclosure of  
5 proprietary information to the [wireless] communications service  
6 provider representatives.

7 ~~[§]~~§138-9~~[§]~~ **Limitation of liability.** (a)

8 Notwithstanding any law to the contrary, in no event shall any  
9 [wireless] communications service provider, reseller,  
10 independent, third-party accounting firms, consultants, or other  
11 third party retained by the State under section 138-2, or their  
12 respective employees, directors, officers, assigns, affiliates,  
13 or agents, except in cases of gross negligence or wanton and  
14 [willful] wilful misconduct, be liable for any civil damages or  
15 criminal liability resulting from death or injury to a person or  
16 from damage to property incurred by any person in connection  
17 with any act or omission in developing, designing, adopting,  
18 establishing, installing, participating in, implementing,  
19 maintaining, or providing access to [~~phase I or phase II~~  
20 wireless] enhanced 911 or any other [wireless] communications  
21 service intended to help persons obtain emergency assistance.  
22 In addition, no [wireless] communications service provider,



1 reseller, independent, third-party accounting firms,  
2 consultants, or other third party retained by the State under  
3 section 138-2, or their respective employees, directors,  
4 officers, assigns, affiliates, or agents shall be liable for  
5 civil damages or criminal liability in connection with the  
6 release of customer information to any governmental entity,  
7 including any public safety answering point, as required under  
8 this chapter.

9 (b) In no event shall any public safety answering point,  
10 or its employees, assigns, or agents, or emergency response  
11 personnel, except in cases of gross negligence or wanton and  
12 willful misconduct, be liable for any civil damages or criminal  
13 liability resulting from death or injury to the person or from  
14 damage to property incurred by any person in connection with any  
15 act or omission in the development, installation, maintenance,  
16 operation, or provision of [~~phase I or phase II wireless~~]  
17 enhanced 911 service.

18 **[+]§138-10[+]** **Database or location information.** (a) Any  
19 [~~commercial mobile radio~~] communications service location  
20 information obtained by any public safety answering point or  
21 public safety agency or its personnel for public safety purposes  
22 is not a government record open to disclosure under chapter 92F.



1 (b) A person shall not disclose or use, for any purpose  
2 other than the [wireless] enhanced 911 calling system,  
3 information contained in the database of the [wireless]  
4 communications service provider's network portion of the  
5 [wireless] enhanced 911 calling system established pursuant to  
6 this chapter, without the prior written consent of the  
7 [wireless] communications service provider.

8 **[+]§138-11[+]** **Dispute resolution.** (a) Any [wireless]  
9 communications service provider, reseller, independent, third-  
10 party accounting firms, consultants, or other third party  
11 retained by the State under section 138-2, or public safety  
12 answering point aggrieved by a decision of the board shall have  
13 the right to petition the board for reconsideration within ten  
14 days following the rendering of the board's decision. As part  
15 of its petition for reconsideration, the aggrieved party may  
16 present any reasonable evidence or information for the board to  
17 consider. The board shall render its decision on the  
18 reconsideration petition as soon as reasonably possible, but no  
19 later than thirty days after the reconsideration request is  
20 made.

21 (b) An aggrieved party, following the completion of the  
22 reconsideration petition process, upon agreement of the other



1 party, may have the dispute resolved through final and binding  
2 arbitration by a single arbitrator in accordance with the  
3 [Wireless] Industry Arbitration Rules of the American  
4 Arbitration Association. The costs of the arbitration,  
5 including the fees and expenses of the arbitrator, shall be  
6 borne by the nonprevailing party of any arbitration proceeding.  
7 The arbitrator's decision shall be final and binding and may be  
8 confirmed and enforced in any court of competent jurisdiction.

9 (c) Nothing in this section shall preclude any [wireless]  
10 communications service provider, reseller, independent, third-  
11 party accounting firms, consultants, or other third party  
12 retained by the State under section 138-2, or public safety  
13 answering point from pursuing any existing right or remedy to  
14 which it is entitled in any court having jurisdiction thereof.

15 [†]§138-12[†] **Service contracts.** A [wireless]  
16 communications service provider shall not be required to provide  
17 [wireless] enhanced 911 service until the [wireless]  
18 communications service provider and the public safety answering  
19 point providing [wireless] enhanced 911 service in the county or  
20 counties in which the [wireless] communications service provider  
21 is licensed to provide [~~commercial mobile radio~~] communications





1 service have entered into a written agreement setting forth the  
2 basic terms of service to be provided."

3 SECTION 2. Statutory material to be repealed is bracketed  
4 and stricken. New statutory material is underscored.

5 SECTION 3. This Act shall take effect July 1, 2011.

6



**Report Title:**

Enhanced 911 Services; Surcharge; Fund; Board

**Description:**

Establishes a single entity to administer enhanced 911 services for the State and expands the membership and responsibilities of the Wireless Enhanced 911 Board. (SD1)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

