

No. 2019-17

AN ACT

SB 127

Amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, in 911 emergency communication services, further providing for definitions, for telecommunications management, for counties, for fund, for telephone records, for inventory and for termination of chapter.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. The definitions of "911 system" and "public safety answering point" or "PSAP" in section 5302 of Title 35 of the Pennsylvania Consolidated Statutes are amended to read:

§ 5302. Definitions.

The following words and phrases when used in this chapter shall have the meanings given to them in this section unless the context clearly indicates otherwise:

"911 system." A system capable of receiving and processing a 911 communication throughout a defined geographic area. The term shall include a [city,] county[,], *or county-based* regional 911 system or a PSAP.

"Public safety answering point" or "PSAP." The agency-approved entity that receives 911 communications from a defined geographic area and processes those calls according to a specific operational policy. *The term shall refer to a county or county-based regional 911 system.*

Section 2. Section 5303(a)(15) and (b)(1), (3) and (4) of Title 35 are amended to read:

§ 5303. Telecommunications management.

(a) Powers and duties of agency.—The agency shall have the following powers and duties:

(15) To adopt, in consultation with the board, minimum training [and], certification *and quality assurance* standards for emergency dispatchers, call takers and supervisors.

(b) Establishment of 911 board.—There is established a board within the agency to be known as the 911 board. The board shall be comprised of the following:

(1) The following State officials, who shall serve as voting members:

- (i) The director of the agency, who shall act as chairperson.
- (ii) The State 911 coordinator.
- (iii) The Commissioner of the Pennsylvania State Police.

(iv) The chairman of the Veterans Affairs and Emergency Preparedness Committee of the Senate.

(v) The minority chairman of the Veterans Affairs and Emergency Preparedness Committee of the Senate.

(vi) The chairman of the Veterans Affairs and Emergency Preparedness Committee of the House of Representatives.

(vii) The minority chairman of the Veterans Affairs and Emergency Preparedness Committee of the House of Representatives.

(viii) The State Fire Commissioner.

(ix) The chairperson of the State Geospatial Coordinating Board.

(3) A representative from the following State agencies, who shall serve as nonvoting members, to be appointed by the chief executive or administrative officer of each agency:

(i) The Pennsylvania Public Utility Commission.

[(ii) The Office of the State Fire Commissioner.]

(iii) The Governor's Office of Administration.

(4) A representative from the following Statewide associations, who shall serve as nonvoting members:

(i) The Pennsylvania Chiefs of Police Association.

(ii) The Fraternal Order of Police.

(iii) The Pennsylvania Emergency Health Services Council.

(iv) The Pennsylvania Fire and Emergency Services Institute.

(v) The Association of Public-Safety Communications Officials.

(vi) The Pennsylvania Chapter of the National Emergency Number Association.

(vii) The Keystone Emergency Management Association.

(viii) The Pennsylvania Professional Fire Fighters Association.

(ix) The Firemen's Association of the State of Pennsylvania.

(x) The Pennsylvania Wireless Association.

(xi) The Pennsylvania Telephone Association.

(xii) The Broadband Cable Association of Pennsylvania.

(xiii) The Pennsylvania Municipal League.

(xiv) The Pennsylvania State Association of Boroughs.

(xv) The Pennsylvania State Association of Township Supervisors.

(xvi) The Pennsylvania State Association of Township Commissioners.

(xvii) The Ambulance Association of Pennsylvania.

(xviii) The Pennsylvania Association of Councils of Governments.

Section 3. Section 5304(c) of Title 35 is amended and subsection (a) is amended by adding a paragraph to read:

§ 5304. Counties.

(a) Powers and duties.—Each county shall have the following powers and duties in relation to a 911 system:

(10) To make reasonable efforts to ensure required geographic information system (GIS) information is available and maintained to support next generation 911 call delivery. The following apply:

(i) Counties must cooperate with each other to develop the PSAP boundary, emergency service boundary, provisioning boundary and road centerline data sets.

(ii) Counties shall share GIS data needed to support geospatial call routing.

[(c) Cities of second class, second class A and third class.—A city of the second class, second class A or third class that has established a 911 system prior to September 4, 1990, may exercise the powers and duties of counties under this chapter or may join a county or regional PSAP.]

Section 4. Sections 5306.1(d)(2), 5309(a), 5314(a) and (c) and 5398 of Title 35 are amended to read:

§ 5306.1. Fund.

* * *

(d) Distribution.—Within 30 days after the end of each quarter, the agency shall determine the amount available from the fund for distribution and make disbursements in accordance with the Statewide 911 plan and this chapter and in accordance with the following:

* * *

(2) Up to 15% of the amount in the fund shall be used by the agency to establish, enhance, operate or maintain Statewide interconnectivity of 911 systems, including, but not limited to, the use or obligations of money for debt service related to regional or Statewide interconnectivity. ***Money under this paragraph may also be used to purchase a Statewide system designed to allow individuals to identify their phone numbers as associated with a person with a physical disability, so that when an individual makes a 911 call, the PSAP has this information.***

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§ 5309. Telephone records.

(a) Access.—A telephone service supplier shall provide customer telephone numbers, names and service addresses to PSAPs when requested by them for use in responding to 911 calls ***and for the synchronization of required geographic information system (GIS) database layers for geospatial call routing with the master street address guide, the ALI data and site and structure locations*** and, when required, to providers of emergency notification services and emergency support services, solely for the purposes of delivering or assisting in the delivery of emergency notification services and emergency support services. A wireless provider shall provide the telephone number and geographical location of the wireless device, as required under the FCC E-911 Order, to PSAPs when requested by them for use in responding to 911 calls. Customer telephone numbers, names and service addresses, and telephone numbers and geographical locations of wireless devices, shall remain the property of the disclosing service supplier. The total cost of the 911 system shall include expenses to reimburse telephone service suppliers for providing and maintaining 911 information. A telephone service supplier shall not be reimbursed directly from the fund for providing and maintaining 911 information. This

information shall be used only in providing emergency response services to a 911 call, *synchronizing master street address guide, ALI and GIS data sets* or for purposes of delivering or assisting in the delivery of emergency notification services or emergency support services. A person who uses or discloses ANI/ALI database information for purposes other than providing emergency response services to a 911 call, delivering or assisting in the delivery of emergency notification services commits a misdemeanor of the third degree.

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§ 5314. Inventory.

(a) Comprehensive inventory required.—The agency, in consultation with the board, shall **[conduct] maintain and update on a biennial basis** a comprehensive inventory of each county PSAP's facilities, hardware, software, communications infrastructure, network capabilities and related equipment and services procured to determine the status of each PSAP's 911 system's stage of advancement to NG911.

* * *

(c) Counties to cooperate.—Counties shall cooperate with the agency by providing the information identified in this section and other information deemed necessary by the agency to complete an inventory as required under subsection (a). Counties that do not provide the information requested by the agency within 45 days of the request shall be suspended from any grant or funding program or be required to forfeit fund disbursements. **[The agency, in consultation with the board and the Governor's Interoperability Council, shall complete the inventory and issue a report detailing its findings and recommendations to the General Assembly by March 31, 2016. The agency shall be responsible for maintaining and updating the inventory on a biannual basis.]**

§ 5398. Termination.

This chapter shall expire **[June 30, 2019] January 31, 2024.**

Section 5. This act shall take effect immediately.

APPROVED—The 28th day of June, A.D. 2019

TOM WOLF