

**SUBSTITUTE FOR
HOUSE BILL NO. 5026**

A bill to amend 1986 PA 32, entitled
"Emergency 9-1-1 service enabling act,"
by amending sections 102, 205, 303, 304, 305, 307, 308, 309, 310,
312, 320, 401a, 401c, 403, 408, 413, 713, and 717 (MCL 484.1102,
484.1205, 484.1303, 484.1304, 484.1305, 484.1307, 484.1308,
484.1309, 484.1310, 484.1312, 484.1320, 484.1401a, 484.1401c,
484.1403, 484.1408, 484.1413, 484.1713, and 484.1717), sections
102, 312, 401a, 401c, and 403 as amended by 2018 PA 51, sections
205, 303, 307, 308, and 320 as amended by 2007 PA 164, section 408
as amended by 2019 PA 76, section 413 as amended by 2019 PA 30,
section 713 as added by 1999 PA 79, and section 717 as amended by
2012 PA 260, and by adding section 401f; and to repeal acts and
parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 102. As used in this act:

2 (a) "Automatic location identification" or "ALI" means a 9-1-1
3 service feature provided by the service supplier that automatically
4 provides the name and service address or, for a CMRS service
5 supplier, the location associated with the calling party's
6 telephone number as identified by automatic number identification
7 to a 9-1-1 public safety answering point.

8 (b) "Automatic number identification" or "ANI" means a 9-1-1
9 service feature provided by the service supplier that automatically
10 provides the calling party's telephone number to a 9-1-1 public
11 safety answering point.

12 (c) "Commercial mobile radio service" or "CMRS" means
13 commercial mobile radio service regulated under section 3 of title
14 I and section 332 of title III of the communications act of 1934,
15 chapter 652, 48 Stat 1064, 47 USC 153 and 332, and the rules of the
16 Federal Communications Commission or provided under the wireless
17 emergency service order. Commercial mobile radio service or CMRS
18 includes all of the following:

19 (i) A wireless 2-way communication device, including a radio
20 telephone used in cellular telephone service or personal
21 communication service.

22 (ii) A functional equivalent of a radio telephone
23 communications line used in cellular telephone service or personal
24 communication service.

25 (iii) A network radio access line.

26 (d) "Commission" means the Michigan public service commission.

27 (e) "Committee" means the emergency 9-1-1 service committee
28 created under section 712.

1 (f) "Common network costs" means the costs associated with the
2 common network required to deliver a 9-1-1 call with ALI and ANI
3 from a selective router **or emergency services routing proxy** to the
4 proper PSAP and the costs associated with the 9-1-1 database and
5 data distribution system of the primary 9-1-1 service supplier
6 identified in a county 9-1-1 plan. As used in this subdivision,
7 "common network" means the elements of a service supplier's network
8 that are not exclusive to the supplier or technology capable of
9 accessing the 9-1-1 system.

10 (g) "Communication service" means a service capable of
11 accessing, connecting with, or interfacing with a 9-1-1 system,
12 exclusively through the numerals 9-1-1, by dialing, initializing,
13 or otherwise activating the 9-1-1 system through the numerals 9-1-1
14 by means of a local telephone device, cellular telephone device,
15 wireless communication device, interconnected voice over the
16 internet device, or any other means.

17 (h) "CMRS connection" means each number assigned to a CMRS
18 customer.

19 (i) "Consolidated dispatch" means a countywide or regional
20 emergency dispatch service that provides dispatch service for 75%
21 or more of the law enforcement, fire fighting, emergency medical
22 service, and other emergency service agencies within the
23 geographical area of a 9-1-1 service district or serves 75% or more
24 of the population within a 9-1-1 service district.

25 (j) "County 9-1-1 charge" means the charge allowed under
26 sections 401b and 401e.

27 (k) "Database service provider" means a service supplier who
28 maintains and supplies or contracts to maintain and supply an ALI
29 database or an MSAG.

1 (l) "Direct dispatch method" means that the agency receiving
2 the 9-1-1 call at the public safety answering point decides on the
3 proper action to be taken and dispatches the appropriate available
4 public safety service unit located closest to the request for
5 public safety service.

6 (m) "Emergency response service" or "ERS" means a public or
7 private agency that responds to events or situations that are
8 dangerous or that are considered by a member of the public to
9 threaten the public safety. An emergency response service includes
10 a police or fire department, an ambulance service, or any other
11 public or private entity trained and able to alleviate a dangerous
12 or threatening situation.

13 (n) "Emergency service zone" or "ESZ" means the designation
14 assigned by a county to each street name and address range that
15 identifies which emergency response service is responsible for
16 responding to an exchange access facility's premises.

17 (o) "Emergency telephone charge" means the emergency telephone
18 operational charge and emergency telephone technical charge allowed
19 under section 401.

20 (p) "Emergency 9-1-1 district" or "9-1-1 service district"
21 means the area in which 9-1-1 service is provided or is planned to
22 be provided to service users under a 9-1-1 system implemented under
23 this act.

24 (q) "Emergency 9-1-1 district board" means the governing body
25 created by the board of commissioners of the county or counties
26 with authority over an emergency 9-1-1 district.

27 (r) "Emergency telephone operational charge" means a charge
28 allowed under section 401 for nonnetwork technical equipment and
29 other costs directly related to the dispatch facility and the

1 operation of 1 or more PSAPs including, but not limited to, the
2 costs of dispatch personnel and radio equipment necessary to
3 provide 2-way communication between PSAPs and a public safety
4 agency. Emergency telephone operational charge does not include
5 non-PSAP related costs such as response vehicles and other
6 personnel.

7 (s) "Emergency telephone technical charge" means a charge as
8 allowed under section 401 or 401d for costs directly related to 9-
9 1-1 service including plant-related costs associated with the use
10 of the public switched telephone network **or IP-based 911 transport**
11 **network** from the end user to the selective router **or emergency**
12 **services routing proxy**, the network start-up costs, customer
13 notification costs, common network costs, administrative costs,
14 database management costs, and network nonrecurring and recurring
15 installation, maintenance, service, and equipment charges of a
16 service supplier providing 9-1-1 service under this act. Emergency
17 telephone technical charge does not include costs recovered under
18 sections 401b(10) and 408(2).

19 (t) "Exchange access facility" means the access from a
20 particular service user's premises to the communication service.
21 Exchange access facilities include service supplier provided access
22 lines, PBX trunks, and centrex line trunk equivalents, all as
23 defined by tariffs of the service suppliers as approved by the
24 public service commission. Exchange access facilities do not
25 include telephone pay station lines or WATS, FX, or incoming only
26 lines.

27 (u) "Final 9-1-1 service plan" means a tentative 9-1-1 service
28 plan that has been **approved under sections 305, 307, 308, 309, and**
29 **310 and has been** modified only to reflect **grammatical changes and**

1 necessary changes resulting from any failure of public safety
2 agencies to be designated as PSAPs or secondary PSAPs under section
3 307.

4 (v) "IP-based 9-1-1 service provider" means the provider of a
5 standards-based digital (Internet Protocol) secure redundant
6 managed 9-1-1 transport network used for the routing and delivery
7 of 9-1-1 connectivity with location information from a party
8 requesting emergency services to a PSAP. An IP-based 9-1-1 network
9 can interface with other networks and transport other emergency
10 services applications. An IP-based 9-1-1 network may be constructed
11 from a mix of dedicated and shared facilities or networks, and may
12 be interconnected at local, regional, state, federal, national, and
13 international levels to form an IP-based inter-network or intra-
14 network of 9-1-1 connectivity.

15 (w) "Master street address guide" or "MSAG" means a perpetual
16 database that contains information continuously provided by a
17 service district that defines the geographic area of the service
18 district and includes an alphabetical list of street names, the
19 range of address numbers on each street, the names of each
20 community in the service district, the emergency service zone of
21 each service user, and the primary service answering point
22 identification codes.

23 (x) "Obligations" means bonds, notes, installment purchase
24 contracts, or lease purchase agreements to be issued by a public
25 agency under a law of this state.

26 (y) "Person" means an individual, corporation, partnership,
27 association, governmental entity, or any other legal entity.

28 (z) "Prepaid wireless telecommunications service" means a
29 commercial mobile radio service that allows a caller to dial 9-1-1

1 to access the 9-1-1 system and is paid for in advance and sold in
2 predetermined units or dollars of which the number declines with
3 use in a known amount.

4 (aa) "Primary public safety answering point", "PSAP", or
5 "primary PSAP" means a communications facility operated or answered
6 on a 24-hour basis assigned responsibility by a public agency or
7 county to receive 9-1-1 calls and to dispatch public safety
8 response services, as appropriate, by the direct dispatch method,
9 relay method, or transfer method. It is the first point of
10 reception by a public safety agency of a 9-1-1 call and serves the
11 ~~jurisdictions in which it is located and other participating~~
12 ~~jurisdictions. , if any.~~

13 (bb) "Prime rate" means the average predominant prime rate
14 quoted by not less than 3 commercial financial institutions as
15 determined by the department of treasury.

16 (cc) "Private safety entity" means a nongovernmental
17 organization that provides emergency fire, ambulance, or medical
18 services.

19 (dd) "Public agency" means a village, township, charter
20 township, or city within the state and any special purpose district
21 located in whole or in part within the state.

22 (ee) "Public safety agency" means a functional division of a
23 public agency, county, or the state that provides fire fighting,
24 law enforcement, ambulance, medical, or other emergency services.

25 (ff) "Qualified obligations" means obligations that meet 1 or
26 more of the following:

27 (i) The proceeds of the obligations benefit the 9-1-1 district,
28 and for which all of the following conditions are met:

29 (A) The proceeds of the obligations are used for capital

1 expenditures, costs of a reserve fund securing the obligations, and
2 costs of issuing the obligations. The proceeds of obligations must
3 not be used for operational expenses.

4 (B) The weighted average maturity of the obligations does not
5 exceed the useful life of the capital assets.

6 (C) The obligations do not in whole or in part appreciate in
7 principal amount or are not sold at a discount of more than 10%.

8 (ii) The obligations are issued to refund obligations that meet
9 the conditions described in subparagraph (i) and the net present
10 value of the principal and interest to be paid on the refunding
11 obligations, excluding the cost of issuance, will be less than the
12 net present value of the principal and interest to be paid on the
13 obligations being refunded, as calculated using a method approved
14 by the department of treasury.

15 (gg) "Relay method" means that a PSAP notes pertinent
16 information and relays it by a communication service to the
17 appropriate public safety agency or other provider of emergency
18 services that has an available emergency service unit located
19 closest to the request for emergency service for dispatch of an
20 emergency service unit.

21 (hh) "Secondary public safety answering point" or "secondary
22 PSAP" means a communications facility of a public safety agency or
23 private safety entity that receives 9-1-1 calls by the transfer
24 method only and generally serves as a centralized location for a
25 particular type of emergency call.

26 (ii) "Service supplier" means a person providing a
27 communication service to a service user in this state.

28 (jj) "Service user" means a person receiving a communication
29 service.

(kk) "State 9-1-1 charge" means the charge provided for under section 401a.

(ll) "Tariff" means the rate approved by the public service commission for 9-1-1 service provided by a particular service supplier. Tariff does not include a rate of a commercial mobile radio service by a particular supplier.

(mm) "Tentative 9-1-1 service plan" means a plan prepared by 1 or more counties for implementing a 9-1-1 system in a specified 9-1-1 service district.

(nn) "Transfer method" means that a PSAP transfers the 9-1-1 call directly to the appropriate public safety agency or other provider of emergency service that has an available emergency service unit located closest to the request for emergency service for dispatch of an emergency service unit.

(oo) "Universal emergency number service" or "9-1-1 service" means public communication service that provides service users with the ability to reach a public safety answering point by dialing the digits "9-1-1".

(pp) "Universal emergency number service system" or "9-1-1 system" means a system for providing 9-1-1 service under this act.

(qq) "Wireless emergency service order" means the order of the ~~federal communications commission,~~ **Federal Communications Commission**, FCC docket No. 94-102, adopted June 12, 1996 with an effective date of October 1, 1996.

Sec. 205. (1) A 9-1-1 system established under this act ~~shall~~ **must** be capable of transmitting requests for law enforcement, fire fighting, and emergency medical and ambulance services to 1 or more public safety agencies which provide the requested service to the place where the call originates.

1 (2) A 9-1-1 system ~~shall~~**must** process all 9-1-1 calls
 2 originating from telephones within an exchange any part of which is
 3 within the emergency 9-1-1 district served by the system. This
 4 requirement does not apply to any part of an exchange not located
 5 within the county or counties that established the 9-1-1 system if
 6 that part has been included in an implemented 9-1-1 system for the
 7 county within which that part is located.

8 (3) A 9-1-1 system **must be capable of processing all 9-1-1**
 9 **requests for service originating from devices connected to a**
 10 **communications service located within the emergency 9-1-1 district.**
 11 **A 9-1-1 request for service that is received, but is not from a**
 12 **location within the service district, must be processed to the**
 13 **extent technically feasible, via transfer or relay method, to the**
 14 **appropriate PSAP.**

15 (4) ~~(3)~~A 9-1-1 system may provide for transmittal of requests
 16 for other emergency services, such as poison control, suicide
 17 prevention, and civil defense. Conferencing capability with
 18 counseling, aid to persons with disabilities, and other services as
 19 considered necessary for emergency response determination may be
 20 provided by the 9-1-1 system.

21 Sec. 303. (1) To establish an emergency 9-1-1 district and to
 22 cause 9-1-1 service to be implemented within that emergency 9-1-1
 23 district, the board of commissioners of a county shall first adopt
 24 a tentative 9-1-1 service plan by resolution.

25 (2) A tentative 9-1-1 service plan ~~shall~~**must** comply with
 26 chapter II and ~~shall~~**must** address at a minimum all of the
 27 following:

28 (a) Technical considerations of the service supplier,
 29 including but not limited to, system equipment for facilities to be

1 used in providing emergency 9-1-1 service.

2 (b) Operational considerations, including but not limited to,
3 the designation of PSAPs and secondary PSAPs, the manner in which
4 9-1-1 calls will be processed, the dispatch functions to be
5 performed, plans for documenting closest public safety service unit
6 dispatching requirements, the dispatch of Michigan state police
7 personnel, and identifying information systems to be utilized.

8 (c) Managerial considerations including the organizational
9 form and agreements that would control technical, operational, and
10 fiscal aspects of the emergency 9-1-1 service.

11 (d) Fiscal considerations including projected nonrecurring and
12 recurring costs with a financial plan for implementing and
13 operating the system.

14 (3) The tentative 9-1-1 service plan ~~shall~~**must** require each
15 public agency operating a PSAP under the 9-1-1 system to pay
16 directly for all installation and recurring charges for terminal
17 equipment, including ~~customer premises~~**call handling** equipment,
18 associated with the public agency's PSAP, and may require each
19 public agency operating a PSAP under the 9-1-1 system to pay
20 directly to the service supplier all installation and recurring
21 charges for all 9-1-1 ~~exchange and tie lines~~**connectivity**
22 associated with the public agency's PSAP.

23 Sec. 304. A resolution adopting a tentative 9-1-1 service plan
24 ~~pursuant to~~**under** section 303 ~~shall~~**must** specify a time, date, and
25 place for the public hearing to be held on the ~~final~~**tentative** 9-1-
26 1 service plan ~~pursuant to~~**under** section 309. ~~which~~**The** date
27 ~~shall of the public hearing must~~ be not less than 90 days after the
28 date of the adoption of the resolution authorized by this section.

29 Sec. 305. Within 5 days after the adoption of a resolution

1 authorized in section 303, the county clerk shall forward a copy of
 2 ~~such~~**the** resolution, together with a **letter indicating where an**
 3 **electronic or paper** copy of the tentative 9-1-1 service plan **can be**
 4 **obtained**, by certified mail, return receipt requested, to the clerk
 5 or other appropriate official of each public agency located within
 6 the 9-1-1 district of the tentative 9-1-1 service plan.

7 Sec. 307. (1) Any public safety agency designated in the
 8 tentative 9-1-1 service plan **under section 303 intending** to
 9 function as a PSAP or secondary PSAP ~~shall~~**must** be ~~so~~ designated **as**
 10 **such** under the final 9-1-1 service plan if the public safety agency
 11 files with the county clerk a notice of intent to function as a
 12 PSAP or secondary PSAP within 45 days after the public agency ~~which~~
 13 ~~the public safety agency has been designated to serve by the~~
 14 ~~tentative 9-1-1 service plan receives a copy of the resolution and~~
 15 ~~the tentative 9-1-1 service plan adopted~~ **letter** under section ~~303.~~
 16 **305.** The notice of intent to function as a PSAP or secondary PSAP
 17 ~~shall~~**must** be in substantially the following form:

18 NOTICE OF INTENT TO FUNCTION

19 AS A PSAP OR SECONDARY PSAP

20
 21 Pursuant to section 307 of the emergency 9-1-1
 22 service enabling act, _____ shall
 23 function as a (check one) _____ PSAP
 24 _____ Secondary PSAP within the 9-1-1 service district
 25 of the tentative 9-1-1 service plan adopted by resolution
 26 of the board of commissioners for the county of
 27 _____, on _____, 19_____.
 28 _____

29 (Acknowledgment)

1 (2) If a public safety agency designated as a PSAP or
 2 secondary PSAP in the tentative 9-1-1 service plan fails to file a
 3 notice of intent to function as a PSAP or secondary PSAP within the
 4 time period specified in subsection (1), the public safety agency
 5 ~~shall~~**must** not be designated as a PSAP or secondary PSAP in the
 6 final 9-1-1 service plan.

7 Sec. 308. The clerk of each county ~~which~~**that** has adopted a
 8 tentative 9-1-1 service plan under section 303 shall give notice by
 9 publication of the hearing on the ~~final~~**tentative** 9-1-1 service
 10 plan to be held under section 309. The notice ~~shall~~**must** be
 11 published twice in a newspaper **or other media outlet** of general
 12 circulation within the county, the first publication of the notice
 13 occurring at least 30 days prior to the date of the hearing. The
 14 notice ~~shall~~**must** state all of the following:

15 (a) The time, date, and place of the hearing.

16 (b) A description of the boundaries of the 9-1-1 service
 17 district of the final 9-1-1 service plan.

18 (c) ~~That if~~**If** the board of commissioners of the county, after
 19 a hearing, adopts the final 9-1-1 service plan under this act, the
 20 state 9-1-1 charge and, if a county 9-1-1 charge has been approved,
 21 a county 9-1-1 charge ~~shall~~**must** be collected on a uniform basis
 22 from all service users within the 9-1-1 service district.

23 (d) **The location where an electronic or paper copy of the**
 24 **tentative 9-1-1 service plan can be obtained.**

25 Sec. 309. The board of commissioners shall conduct a hearing
 26 on the ~~final~~**tentative** 9-1-1 service plan at the time, place, and
 27 date specified in the notice published ~~pursuant to~~**under** section
 28 308. All persons attending the meeting ~~shall~~**must** be afforded a
 29 reasonable opportunity to be heard.

1 Sec. 310. After conducting the hearing on the ~~final-tentative~~
2 9-1-1 service plan ~~pursuant to~~**under** this act, the board of
3 commissioners of the affected county may adopt by resolution the
4 ~~final-tentative~~ 9-1-1 service plan **making it the final 9-1-1**
5 **service plan**. Upon adoption of the resolution, the county, on
6 behalf of public agencies located within the 9-1-1 service
7 district, shall apply in writing to the service supplier or
8 suppliers designated to provide 9-1-1 service within the 9-1-1
9 service district under the final 9-1-1 service plan.

10 Sec. 312. (1) Except as otherwise provided under subsection
11 (2), after a final 9-1-1 service plan has been adopted under
12 section 310, a county may amend the final 9-1-1 service plan only
13 by complying with the procedures described in sections 301 to 310.
14 Upon adoption of an amended final 9-1-1 service plan by the county
15 board of commissioners, the county shall forward the amended final
16 9-1-1 service plan to the service supplier or suppliers designated
17 to provide 9-1-1 service within the 9-1-1 service district as
18 amended. Upon receipt of the amended final 9-1-1 service plan, each
19 designated service supplier shall implement as soon as feasible the
20 amendments to the final 9-1-1 service plan in the 9-1-1 service
21 district as amended.

22 (2) The county board of commissioners may by resolution make
23 minor amendments to the final 9-1-1 service plan for any of the
24 following:

25 (a) Changes in PSAP premises equipment, including, but not
26 limited to, computer-aided dispatch systems, call processing
27 equipment, and computer mapping.

28 (b) Changes involving the participating public safety agencies
29 within a 9-1-1 service district.

1 (c) **Changes involving the addition or deletion of primary or**
 2 **secondary PSAPs within the 9-1-1 service district.**

3 (d) ~~(e)~~ Changes in the 9-1-1 charges collected by the county
 4 subject to the limits under this act.

5 (e) ~~(d)~~ Changes in 9-1-1 service providers to include IP-based
 6 9-1-1 service providers that meet the next generation 9-1-1
 7 standards set by the National Emergency Number Association.

8 Sec. 320. (1) The county shall create an emergency 9-1-1
 9 district board if a county creates a consolidated dispatch within
 10 an emergency 9-1-1 district after March 2, 1994.

11 (2) The membership of the board and the board's powers and
 12 duties ~~shall be~~ **are** determined by the county board of
 13 commissioners. The membership of the board ~~shall~~ **must** include a
 14 representative of the county sheriff or his or her designated
 15 representative, a representative of the Michigan state police
 16 designated by the director of the Michigan state police, and a
 17 firefighter. If the emergency 9-1-1 district consists of more than
 18 1 county, ~~the sheriff representative shall be appointed by the~~
 19 ~~president of the Michigan sheriffs' association.~~ **Sheriffs'**
 20 **Association shall appoint the sheriff representative.**

21 (3) A county or other public agency may make appropriations to
 22 the emergency 9-1-1 district board.

23 (4) A public agency may contract with the emergency 9-1-1
 24 district board, and persons who are both members of the board and
 25 of the governing body of the public agency may vote both on the
 26 board and the body if approved by the contract.

27 (5) The basis under which a consolidated dispatch meets the
 28 requirement for being a ~~dispatch~~ **primary PSAP** under section ~~102(e)~~
 29 ~~shall determine~~ **102 determines** the system to be used in dispatching

1 participating service units.

2 Sec. 401a. (1) Each service supplier within a 9-1-1 service
3 district shall bill and collect a state 9-1-1 charge from all
4 service users, except for users of a prepaid wireless
5 telecommunications service, of the service supplier within the
6 geographical boundaries of the 9-1-1 service district or as
7 otherwise provided by this section. The state 9-1-1 charge must be
8 uniform per each service user within the 9-1-1 service district.

9 (2) The state 9-1-1 charge must be collected in accordance
10 with the regular billings of the service supplier. Except as
11 otherwise provided under this act, the amount collected for the
12 state 9-1-1 charge must be remitted quarterly by the service
13 supplier to the state treasurer and deposited in the emergency 9-1-
14 1 fund created under section 407. The charge allowed under this
15 section must be listed separately on the customer's bill or payment
16 receipt or otherwise disclosed to the consumer.

17 ~~(3) Until 59 days after the effective date of the 2018~~
18 ~~amendatory act that amended this section, the state 9-1-1 charge is~~
19 ~~19 cents. Beginning 60 days after the effective date of the 2018~~
20 ~~amendatory act that amended this section, **Subject to section 401f,**~~
21 the state 9-1-1 charge is 25 cents. The state 9-1-1 charge must
22 reflect the actual costs of operating, maintaining, upgrading, and
23 other reasonable and necessary expenditures for the 9-1-1 system in
24 this state.

25 (4) If a service user has multiple access points or access
26 lines, the state 9-1-1 charge will be imposed separately on each of
27 the first 10 access points or access lines and then 1 charge for
28 each 10 access points or access lines per billed account.

29 Sec. 401c. (1) A seller shall collect a prepaid wireless 9-1-1

1 surcharge from a consumer for each retail transaction occurring in
2 this state.

3 (2) ~~The~~ **Until February 28, 2022, the** amount of the prepaid
4 wireless 9-1-1 surcharge is 5.0% per retail transaction. **Subject to**
5 **section 401f, beginning March 1, 2022, the amount of the prepaid**
6 **wireless 9-1-1 surcharge is 6.0% per retail transaction.** The charge
7 allowed under this section must be either separately stated on an
8 invoice, receipt, or other similar document that is provided to a
9 consumer by the seller or otherwise disclosed to the consumer.

10 (3) Each of the following transactions is considered to have
11 occurred in this state:

12 (a) A retail transaction that is effected in person by a
13 consumer at a business location of a seller located in this state.

14 (b) A retail transaction that is treated as occurring in this
15 state as provided in section 3c of the use tax act, 1937 PA 94, MCL
16 205.93c, as that section applies to a prepaid wireless calling
17 service.

18 (4) A prepaid wireless 9-1-1 surcharge is the liability of the
19 consumer and not of the seller or of any provider.

20 (5) Except as otherwise provided in subsection (6) **and subject**
21 **to section 401f,** if a prepaid wireless telecommunications service
22 is sold with 1 or more products or services for a single,
23 nonitemized price, the seller shall collect 5.0% **until February 28,**
24 **2022, and 6.0% beginning March 1, 2022,** on the entire nonitemized
25 price unless the seller elects to do the following:

26 (a) If the amount of the prepaid wireless telecommunications
27 service is disclosed to the consumer as a dollar amount, apply the
28 percentage to that dollar amount.

29 (b) If the seller can identify the portion of the price that

1 is attributable to the prepaid wireless telecommunications service
2 by reasonable and verifiable standards from its books and records
3 that are kept in the regular course of business for other purposes
4 including, but not limited to, nontax purposes, apply the
5 percentage to that portion.

6 (6) If a minimal amount of prepaid wireless telecommunications
7 service is sold with a prepaid wireless device for a single,
8 nonitemized price, a seller may elect not to apply the percentage
9 specified in subsection (5)(a) to that transaction. As used in this
10 subsection, "minimal amount" means an amount of service denominated
11 as 10 minutes or less or \$5.00 or less.

12 (7) The seller shall remit the prepaid wireless 9-1-1
13 surcharge monthly to the state treasurer who shall deposit it in
14 the emergency 9-1-1 fund created in section 407.

15 (8) A seller may retain 2% of prepaid wireless 9-1-1
16 surcharges that are collected by the seller to reimburse the seller
17 for its direct costs in collecting and remitting the prepaid
18 wireless 9-1-1 surcharges.

19 (9) A provider or seller of prepaid wireless
20 telecommunications service is not liable for damages to any person
21 resulting from or incurred in connection with the provision of, or
22 failure to provide, 9-1-1 service or for identifying or failing to
23 identify the telephone number, address, location, or name
24 associated with any person or device that is accessing or
25 attempting to access 9-1-1 service.

26 (10) A provider or seller of prepaid wireless
27 telecommunications service is not liable for damages to any person
28 resulting from or incurred in connection with the provision of any
29 lawful assistance to any investigative or law enforcement officer

1 of the United States, this state, or any other state in connection
2 with any lawful investigation or other law enforcement activity by
3 that law enforcement officer.

4 (11) The department, in cooperation and in conjunction with
5 the state 9-1-1 committee, shall review the emergency 9-1-1 fund
6 created in section 407 for collection and remittance compliance
7 under this section. The review must contain findings on at least
8 all of the following:

9 (a) The amount of money owed to the emergency 9-1-1 fund
10 created in section 407 under this section.

11 (b) The amount of money remitted to the emergency 9-1-1 fund
12 created in section 407 under this section.

13 (c) Any other pertinent information to locate and address
14 noncompliance with this section as determined by the department or
15 the state 9-1-1 committee.

16 (d) Any other pertinent information on the prepaid mobile
17 wireless calling service and prepaid wireless calling service
18 marketplace that may help accurately predict revenue under this
19 section.

20 (12) By not later than June 30, 2023, the department and the
21 state 9-1-1 committee shall issue a report to the legislature
22 regarding the findings under subsection (11). In addition to the
23 required information under subsection (11), the report must contain
24 recommendations to the legislature to increase compliance with this
25 section.

26 (13) Subject to subsection (14), to determine whether a seller
27 has correctly collected and remitted the prepaid wireless 9-1-1
28 surcharge due under this section, the department may examine the
29 books, records, and papers and audit the accounts of a seller or

1 any other records to the same extent as provided under 1941 PA 122,
2 MCL 205.1 to 205.31. An examination or audit performed by the
3 department under this section must be done in accordance with the
4 procedures under section 21 of 1941 PA 122, MCL 205.21. An
5 assessment, decision, or order of the department issued as a result
6 of an examination or audit under this section is subject to appeal
7 as provided under section 22 of 1941 PA 122, MCL 205.22. An
8 assessment or claim for a refund is subject to the time periods
9 specified under section 27a(2) to (4) of 1941 PA 122, MCL 205.27a.
10 Before initiating an examination or audit under this subsection,
11 the department shall consult with the commission and the attorney
12 general to determine whether the commission has initiated an
13 investigation or the attorney general has commenced a civil action
14 under section 403.

15 (14) If the commission is investigating a seller or the
16 attorney general has commenced a civil action against a seller
17 under section 403, the department shall not examine or audit the
18 seller under subsection (13) for the same conduct that is being
19 investigated by the commission or for which a civil action has
20 commenced under section 403.

21 (15) ~~(11)~~ As used in this section:

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

24 (b) "Department" means the ~~Michigan~~ department of treasury.

25 (c) "Prepaid wireless 9-1-1 surcharge" means the fee that is
26 required to be collected by a seller from a consumer in the amount
27 established under subsection (2).

28 (d) "Provider" means a person that provides prepaid wireless
29 telecommunications services under a license issued by the Federal

1 Communications Commission.

2 (e) "Retail transaction" means the purchase of prepaid
3 wireless telecommunications service from a seller for any purpose
4 other than resale.

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

7 **Sec. 401f. (1) After December 31, 2025, the department of**
8 **treasury shall notify the commission on a quarterly basis of the**
9 **balance available for distribution under section 408(4)(b). If the**
10 **balance available for distribution under section 408(4)(b) exceeds**
11 **\$12,000,000.00 for 3 consecutive quarters, the commission may**
12 **initiate a proceeding to reduce the state 9-1-1 charge in section**
13 **401a and the prepaid wireless 9-1-1 surcharge under section 401c**
14 **proportionately to ensure that the average quarterly balance to be**
15 **distributed under section 408(4)(b) is sufficient to reimburse at**
16 **least 6 months of ongoing approved costs related to transport,**
17 **routing, or delivery to PSAPs of IP-based 9-1-1 emergency service.**

18 (2) If all emergency 9-1-1 districts in this state have not
19 been fully converted to or contracted with an IP-based 9-1-1
20 service provider at the time of the proceeding under subsection
21 (1), the commission shall take that into consideration along with
22 any incurred cost that has not been reimbursed to the IP-based 9-1-
23 1 service provider when determining the reduction described in
24 subsection (1).

25 (3) The commission may request from the department of treasury
26 any data reasonably necessary to make a determination under
27 subsection (1). The department of treasury shall provide the data
28 requested under this subsection in a timely fashion.

29 (4) The commission must allow an interested person to

1 intervene in a proceeding under subsection (1).

2 (5) Within 180 days after a proceeding commences under
3 subsection (1), the commission shall issue a final order. The
4 commission shall notify the legislature and IP-based 9-1-1 service
5 providers of a final order within 10 days of issuing the final
6 order.

7 (6) Reductions to the state 9-1-1 charge under section 401a
8 and the prepaid wireless 9-1-1 surcharge under section 401c take
9 effect 60 days after the commission issues a final order under
10 subsection (5).

11 Sec. 403. (1) Each service supplier is solely responsible for
12 the billing of the state and county 9-1-1 charge and transmitting
13 the money collected to the emergency 9-1-1 fund and to the counties
14 as required under this act.

15 (2) The committee, a county, or a 9-1-1 service district shall
16 notify the commission if the committee, county, or 9-1-1 service
17 district is aware of a service supplier, CMRS supplier, reseller,
18 or retailer of a prepaid wireless telecommunications service that
19 has failed to report, charge, collect, or transmit the 9-1-1
20 charges in section 401a, 401b, or 401c. The committee, a county, or
21 a 9-1-1 service district shall include with the notification under
22 this subsection all information, testimony, exhibits, or other
23 documents and information the committee, county, or 9-1-1 service
24 district possesses that support the notification. ~~Before~~ **Subject to**
25 **subsection (5), before** the attorney general commences a suit under
26 subsection (3), the commission shall investigate any failure to
27 report, charge, collect, or transmit charges and attempt to resolve
28 those complaints. **Before the commission initiates an investigation**
29 **under this subsection, the commission shall consult with the**

1 **department of treasury to determine whether the department of**
2 **treasury initiated an examination or audit under section 401c.**

3 (3) ~~Upon~~ **Subject to subsection (5), upon** referral by the
4 commission, the attorney general may commence a civil action
5 against a service supplier, CMRS supplier, reseller, or retailer of
6 a prepaid wireless telecommunications service for appropriate
7 relief for failure to report, charge, collect, and transmit the
8 state 9-1-1 charges in sections 401a and 401c. An action under this
9 subsection may be brought in the Ingham County circuit court or the
10 circuit court in a county in which the defendant resides or is
11 doing business. The court has jurisdiction to restrain the
12 violation and to require compliance with this section. **Before the**
13 **attorney general commences a civil action under this subsection,**
14 **the attorney general shall consult with the department of treasury**
15 **to determine whether the department of treasury initiated an**
16 **examination or audit under section 401c.**

17 (4) This section does not prohibit a county from taking any
18 action authorized by law against an entity that fails to remit the
19 county 9-1-1 charge under section 401b.

20 (5) **If the department of treasury is examining or auditing a**
21 **retailer of a prepaid wireless telecommunications service under**
22 **section 401c, the commission shall not initiate an investigation**
23 **and the attorney general shall not commence a civil action under**
24 **this section against a retailer of a prepaid wireless**
25 **telecommunications service for the same conduct that is being**
26 **examined or audited by the department of treasury under section**
27 **401c.**

28 Sec. 408. (1) Except as otherwise provided under this act, a
29 service supplier shall bill and collect a state 9-1-1 service

charge per month as determined under section 401a. The service supplier shall list the state 9-1-1 service charge authorized under this act as a separate line item on each bill as the "state 9-1-1 charge".

(2) Each service supplier may retain 2% of the state 9-1-1 charge collected under this act to cover the supplier's costs for billing and collection.

(3) Except as otherwise provided under subsection (2), the money collected as the state 9-1-1 charge under subsection (1) must be deposited in the emergency 9-1-1 fund created in section 407 no later than 30 days after the end of the quarter in which the state 9-1-1 charge was collected.

(4) ~~All~~ **Except as otherwise provided in subsection (11), all** money collected and deposited in the emergency 9-1-1 fund created in section 407 must be distributed as provided in this section. Annual money collected not exceeding \$37,000,000.00 must be distributed as follows:

(a) 65% must be disbursed to each county that has a final 9-1-1 plan in place. Forty percent of the 65% must be distributed quarterly on an equal basis to each county, and 60% of the 65% must be distributed quarterly based on a population per capita basis. A county shall only use money received by the county under this subdivision for 9-1-1 services as allowed under this act. A county shall repay to the fund any money expended under this subdivision for a purpose considered unnecessary or unreasonable by the committee or the auditor general.

(b) 25.56% must be available to reimburse local exchange providers for the costs related to wireless emergency service and to reimburse IP-based 9-1-1 service providers for the costs related

1 to the transport, routing, or delivery to PSAPs of IP-based 9-1-1
2 emergency service. Any cost reimbursement allowed under this
3 subdivision must not include a cost that is not related to wireless
4 emergency service or to IP-based 9-1-1 emergency service. A local
5 exchange provider or an IP-based 9-1-1 service provider may, on a
6 ~~quarterly~~**monthly** basis, submit an invoice to the commission for
7 reimbursement from the emergency 9-1-1 fund for allowed costs.
8 Except as otherwise provided in subsection (5), within 45 days
9 after the date an invoice is submitted to the commission, the
10 commission shall approve, either in whole or in part, or deny the
11 invoice. **The commission shall notify the department of treasury**
12 **within 5 business days of the commission's approval of the invoice.**
13 **The department of treasury shall pay the approved invoice within 30**
14 **days of receiving notice from the commission.**

15 (c) 5.5% must be available to PSAPs for training personnel
16 assigned to 9-1-1 centers. A public safety agency or county shall
17 make a written request for money from the fund to the committee.
18 The committee shall semiannually authorize distribution of money
19 from the fund to eligible public safety agencies or counties. A
20 public safety agency or county that receives money under this
21 subdivision shall create, maintain, and make available to the
22 committee upon request a detailed record of expenditures relating
23 to the preparation, administration, and carrying out of activities
24 of its 9-1-1 training program. An eligible public safety agency or
25 county shall repay to the fund any money expended by that public
26 safety agency or county for a purpose considered unnecessary or
27 unreasonable by the committee or the auditor general. The
28 commission shall consult with and consider the recommendations of
29 the committee in the promulgation of rules under section 413

1 establishing training standards for 9-1-1 system personnel. Money
2 must be disbursed on a biannual basis to an eligible public safety
3 agency or county for training of PSAP personnel through courses
4 certified by the committee only for either of the following
5 purposes:

6 (i) To provide basic 9-1-1 operations training.

7 (ii) To provide in-service training to employees engaged in 9-
8 1-1 service.

9 (d) 1.5% must be credited to the department of state police to
10 operate a regional dispatch center that receives and dispatches 9-
11 1-1 calls, and 2.44% must be credited to the department of state
12 police for costs to administer this act and to maintain the office
13 of the state 9-1-1 coordinator.

14 (5) By May 5, 2018, the commission shall commence a proceeding
15 to determine the recurring and nonrecurring cost categories for all
16 IP-based 9-1-1 service providers. The commission shall allow any
17 interested person to intervene in a proceeding under this
18 subsection. Within 180 days after a proceeding is commenced under
19 this subsection, the commission shall issue a final order adopting
20 the recurring and nonrecurring cost categories for all IP-based 9-
21 1-1 service providers considered just and reasonable by the
22 commission. For cost studies first submitted by an IP-based 9-1-1
23 service provider after the commission completes the proceeding
24 under this subsection, the commission shall, within 45 days of
25 receiving an invoice, only approve those costs in the invoice that
26 are both of the following:

27 (a) Consistent with the recurring and nonrecurring cost
28 categories for IP-based 9-1-1 service providers approved by the
29 commission under this subsection.

1 (b) For contracts entered into after March 6, 2018, the result
2 of a competitively bid process as confirmed by supporting
3 documentation.

4 (6) An IP-based 9-1-1 service provider shall file an updated
5 cost study not later than 5 years after the filing of an initial
6 cost study and every 5 years thereafter.

7 (7) An IP-based 9-1-1 service provider must meet the next
8 generation 9-1-1 standards set by the National Emergency Number
9 Association to submit an invoice to the commission under subsection
10 (4)(b) for reimbursement from the emergency 9-1-1 fund for allowed
11 costs.

12 (8) Funds generated by the fees in sections 401a and 401c in
13 excess of \$37,000,000.00 annually must be reserved for approved
14 costs under subsection (4)(b).

15 (9) Money received by a county under subsection (4)(a) must be
16 distributed by the county to the primary PSAPs geographically
17 located within the 9-1-1 service district by 1 of the following
18 methods:

19 (a) As provided in the final 9-1-1 service plan.

20 (b) If distribution is not provided for in the 9-1-1 service
21 plan under subdivision (a), then according to any agreement for
22 distribution between a county and a public agency.

23 (c) If distribution is not provided for in the 9-1-1 service
24 plan under subdivision (a) or by agreement between the county and
25 public agency under subdivision (b), then according to the
26 population within the geographic area for which the PSAP serves as
27 primary PSAP.

28 (d) If a county has multiple emergency 9-1-1 districts, money
29 for that county must be distributed as provided in the emergency 9-

1 1-1 districts' final 9-1-1 service plans.

2 (10) The commission shall consult with and consider
3 recommendations of the committee in the promulgation of rules under
4 section 413 establishing the standards for the receipt and
5 expenditure of 9-1-1 funds under this act. Receipt of 9-1-1 funds
6 under this act is dependent on compliance with the standards
7 established under this subsection.

8 ~~(11) No later than December 1, 2020, the commission must issue~~
9 ~~a report to the legislature and governor containing the following~~
10 ~~information:~~

11 ~~(a) The total costs incurred by counties or 9-1-1 service~~
12 ~~districts that have transitioned to an IP-based 9-1-1 service~~
13 ~~provider.~~

14 ~~(b) The estimated transition costs to be incurred by counties~~
15 ~~or 9-1-1 service districts that have not transitioned to an IP-~~
16 ~~based 9-1-1 service provider and the estimated dates for~~
17 ~~transition.~~

18 ~~(c) The estimated ongoing, annual costs of operating the 9-1-1~~
19 ~~network after the transition to an IP-based 9-1-1 service provider~~
20 ~~has been completed by all counties or 9-1-1 service districts~~
21 ~~choosing to transition.~~

22 ~~(d) The current 9-1-1 funding system revenues as reported by~~
23 ~~the committee.~~

24 ~~(e) The estimated costs of operating the IP-based 9-1-1~~
25 ~~network based on the estimates calculated in subdivisions (b) and~~
26 ~~(c).~~

27 ~~(12) The commission may collect data from counties, 9-1-1~~
28 ~~service districts, IP-based 9-1-1 service providers, the state~~
29 ~~treasurer, and the state 9-1-1 committee that are reasonably~~

~~required to complete the report under subsection (11). Counties, 9-1-1 service districts, IP-based 9-1-1 service providers, the state treasurer, and the state 9-1-1 committee shall submit to the commission any data that are reasonably required to compile the report under subsection (11). At the request of the commission, the committee shall, in preparing the annual report to be submitted to the legislature and governor under section 412 by August 1, 2020, collect data from counties, 9-1-1 service districts, and IP-based 9-1-1 service providers that the commission reasonably requires to compile the report under subsection (11) and submit that data to the commission.~~

(11) One hundred percent of the money deposited in the emergency 9-1-1 fund under a bill making appropriations for the fiscal year ending September 30, 2022 must be used for the purposes described in subsection (4) (b) .

Sec. 413. (1) The commission may promulgate rules to establish 1 or more of the following:

(a) Uniform procedures, policies, and protocols governing 9-1-1 services in counties and PSAPs in this state.

(b) Standards for the training of PSAP personnel.

(c) Uniform procedures, policies, and standards for the receipt and expenditure of 9-1-1 funds under sections 401a, 401b, 401c, 401d, 401e, 406, and 408.

~~(d) Requirements for multiline telephone systems subject to this section.~~

(d) ~~(e)~~ The penalties and remedies for violations of this act and the rules promulgated under this act.

(2) The commission shall consult with and consider the recommendations of the committee in the promulgation of rules under

1 this section.

2 (3) The commission's rule-making authority is limited to that
3 expressly granted under this section.

4 (4) The rules promulgated under this section do not apply to
5 service suppliers.

6 ~~(5) An MLTS operator shall ensure that the multiline telephone~~
7 ~~system is capable of routing 9-1-1 calls to the 9-1-1 network, and~~
8 ~~that they are answered by a primary PSAP in a manner that results~~
9 ~~in accurate ALI and ANI that can be verified in the 9-1-1 location~~
10 ~~database to include the specific location of the communications~~
11 ~~device.~~

12 ~~(6) For a single building having its own street address and~~
13 ~~containing a work space of more than 7,000 square feet, all located~~
14 ~~on a single floor and on a single contiguous property, the MLTS~~
15 ~~operator shall identify the specific location of each~~
16 ~~communications device, including the street address. An MLTS~~
17 ~~operator is exempt from providing the specific location of each~~
18 ~~communications device until the installation of a new MLTS after~~
19 ~~January 1, 2020 under this subsection if both of the following~~
20 ~~apply:~~

21 ~~(a) The building contains less than 20,000 square feet of work~~
22 ~~space.~~

23 ~~(b) The building contains fewer than 20 communications~~
24 ~~devices.~~

25 ~~(7) For a single building having its own street address and~~
26 ~~containing a work space of more than 7,000 square feet on multiple~~
27 ~~floors and on a single contiguous property, the MLTS operator shall~~
28 ~~identify the specific location of each communications device~~
29 ~~including the street address and building floor.~~

1 ~~(8) For separate buildings using 1 MLTS and containing a total~~
2 ~~work space of more than 7,000 square feet on multiple floors and on~~
3 ~~a single contiguous property having a common public street address,~~
4 ~~the MLTS operator shall identify the specific location of each~~
5 ~~communications device in each building, including the street~~
6 ~~address, building floor, and any unique building identifier, if~~
7 ~~applicable.~~

8 ~~(9) For separate buildings using 1 MLTS and containing a work~~
9 ~~space of more than 7,000 square feet, all located on a single floor~~
10 ~~and on a single contiguous property and having a common public~~
11 ~~street address, the MLTS operator shall identify the specific~~
12 ~~location of each communications device in each building, in~~
13 ~~addition to the street address and any unique building identifiers,~~
14 ~~if applicable. An MLTS operator is exempt from providing the~~
15 ~~specific location of each communications device until the~~
16 ~~installation of a new MLTS after January 1, 2020 under this~~
17 ~~subsection if both of the following apply:~~

18 ~~(a) The building contains less than 20,000 square feet of work~~
19 ~~space.~~

20 ~~(b) The building contains fewer than 20 communications~~
21 ~~devices.~~

22 ~~(10) For separate buildings using 1 MLTS and containing a~~
23 ~~total work space of more than 7,000 square feet on single floors on~~
24 ~~separate properties having different street addresses, the MLTS~~
25 ~~operator shall identify the specific location of each~~
26 ~~communications device in each building, including the street~~
27 ~~address and any unique building identifier, if applicable. An MLTS~~
28 ~~operator is exempt from providing the specific location of each~~
29 ~~communications device until the installation of a new MLTS after~~

1 ~~January 1, 2020 under this subsection if both of the following~~
2 ~~apply:~~

3 ~~(a) The building contains less than 20,000 square feet of work~~
4 ~~space.~~

5 ~~(b) The building contains fewer than 20 communications~~
6 ~~devices.~~

7 ~~(11) For separate buildings, using 1 MLTS, containing a total~~
8 ~~work space of more than 7,000 square feet on multiple floors on~~
9 ~~separate properties having different addresses, the MLTS operator~~
10 ~~shall identify the specific location of each communications device~~
11 ~~in each building, including the street address and any unique~~
12 ~~building identifier, if applicable.~~

13 ~~(12) For a house of worship, as described by section 7s of the~~
14 ~~general property tax act, 1893 PA 206, MCL 211.7s, with a single~~
15 ~~building having its own street address with less than 20~~
16 ~~communications devices, the MLTS operator shall identify, at a~~
17 ~~minimum, the street address. An MLTS operator is exempt from~~
18 ~~providing the specific location of each communications device until~~
19 ~~the installation of a new MLTS purchased after January 1, 2020. The~~
20 ~~exemption provided under this subsection does not extend to a~~
21 ~~school controlled by the house of worship at the same address.~~

22 ~~(13) For a house of worship, as described by section 7s of the~~
23 ~~general property tax act, 1893 PA 206, MCL 211.7s, with multiple~~
24 ~~buildings, using 1 MLTS, all located on a single contiguous~~
25 ~~property and having a common public street address with less than~~
26 ~~20 communications devices, the MLTS operator shall identify, at a~~
27 ~~minimum, the street address and a unique building identifier. An~~
28 ~~MLTS operator is exempt from providing the specific location of~~
29 ~~each communications device until the installation of a new MLTS~~

~~1 purchased after January 1, 2020. The exemption provided under this~~
~~2 subsection does not extend to a school controlled by the house of~~
~~3 worship at the same address.~~

~~4 (14) For a house of worship, as described by section 7s of the~~
~~5 general property tax act, 1893 PA 206, MCL 211.7s, with multiple~~
~~6 buildings, using 1 MLTS, on separate properties having disparate~~
~~7 street addresses, with less than 20 communications devices, the~~
~~8 MLTS operator shall identify, at a minimum, the specific street~~
~~9 address of the caller's location and a unique building identifier,~~
~~10 if applicable. An MLTS operator is exempt from providing the~~
~~11 specific location of each communications device until the~~
~~12 installation of a new MLTS purchased after January 1, 2020. The~~
~~13 exemption provided under this subsection does not extend to a~~
~~14 school controlled by the house of worship at 1 of its addresses.~~

~~15 (15) For a farm, as that term is defined in section 2 of the~~
~~16 Michigan right to farm act, 1981 PA 93, MCL 286.472, with less than~~
~~17 20 communications devices located within 1 building, the MLTS~~
~~18 operator shall identify the specific location of each~~
~~19 communications device, including the street address. An MLTS~~
~~20 operator is exempt from providing the specific location of each~~
~~21 communications device until the installment of a new MLTS after~~
~~22 January 1, 2020. For purposes of this act, a farm does not include~~
~~23 a farm producing or selling any product or crop that is unable to~~
~~24 be sold in interstate commerce.~~

~~25 (16) An MLTS operator is exempt from the specific location~~
~~26 identification requirements under this section if the building~~
~~27 maintains, on a 24-hour basis, an alternative method of~~
~~28 notification and adequate means of signaling and responding to~~
~~29 emergencies including, but not limited to, a communications system~~

1 ~~that provides the specific location of 9-1-1 calls from within the~~
 2 ~~building or the building is serviced with its own appropriate~~
 3 ~~medical, fire, and security personnel.~~

4 ~~(17) An MLTS operator not serviced by enhanced 9-1-1 service~~
 5 ~~is exempt until enhanced 9-1-1 is available.~~

6 ~~(18) An MLTS operator in violation of this act after December~~
 7 ~~31, 2020 shall provide the commission and the committee information~~
 8 ~~on the failure to meet the deadline and within 60 days after the~~
 9 ~~violation provide a plan to remedy the failure within 6 months.~~

10 ~~(19) An MLTS operator in violation of this act after December~~
 11 ~~31, 2020 may be assessed a fine by the commission from \$500.00 to~~
 12 ~~\$5,000.00 per offense. An MLTS operator with 50 or fewer employees~~
 13 ~~may be assessed a fine by the commission of up to \$500.00 per~~
 14 ~~offense.~~

15 **(5) A multiline telephone system must comply with the most up-**
 16 **to-date version of 47 CFR 9.15 to 9.17.**

17 ~~(6) (20) As used in this section, +~~

18 ~~(a) "Alternative methods of notification" means that an~~
 19 ~~internal system exists that will locate the communications device~~
 20 ~~used to make a 9-1-1 call and initiate an emergency response.~~

21 ~~(b) "Communications device" means a device that is integrated~~
 22 ~~into the design and operation of the multiline telephone system and~~
 23 ~~by using the multiline telephone system is capable of accessing,~~
 24 ~~connecting with, or interfacing with a 9-1-1 system, exclusively~~
 25 ~~through the numerals 9-1-1, by dialing, initializing, or otherwise~~
 26 ~~activating the 9-1-1 system through the numerals 9-1-1 by means of~~
 27 ~~a local telephone, cellular telephone, wireless communications~~
 28 ~~device, interconnected voice over the internet device, or any other~~
 29 ~~means.~~

1 ~~(c) "Enhanced 9-1-1" or "E9-1-1" means an advanced form of 9-~~
2 ~~1-1 service that transmits the caller's telephone number to the~~
3 ~~public safety answering point, for cross-referencing with an~~
4 ~~address database to determine the caller's location, which is~~
5 ~~relayed to a video monitor for the emergency dispatcher to direct~~
6 ~~public safety personnel responding to the emergency.~~

7 ~~(d) "Multiline "multiline telephone system" or "MLTS" means a~~
8 ~~system comprised~~ **composed** ~~of common control unit or units,~~
9 ~~telephone sets with unique telephone numbers, and control hardware~~
10 ~~and software.~~

11 ~~(e) "Multiline telephone system operator" or "MLTS operator"~~
12 ~~means a service user who owns, leases, or rents from a third party,~~
13 ~~and operates an MLTS.~~

14 ~~(f) "Specific location" means a room or unit number, or room~~
15 ~~name, or equivalent unique designation of a portion of a structure~~
16 ~~or building to which a 9-1-1 emergency response team may be~~
17 ~~dispatched, and the caller quickly located, that is not more than~~
18 ~~7,000 square feet.~~

19 ~~(g) "Work space" means the physical building area where work~~
20 ~~is normally performed, measured by net square footage, including~~
21 ~~offices; production, warehouse, and shop floors; storage areas;~~
22 ~~hallways; conference rooms; break rooms; and other common areas.~~
23 ~~Work space does not include wall thickness; shafts; heating,~~
24 ~~ventilating, or air conditioning equipment spaces; mechanical or~~
25 ~~electrical spaces, or similar areas where employees do not normally~~
26 ~~have access.~~

27 Sec. 713. (1) The committee shall consist of 21 members as
28 follows:

29 (a) The director of the department of state police or his or

1 her designated representative.

2 (b) The director of the department of ~~consumer and industry~~
3 ~~services~~**licensing and regulatory affairs** or his or her designated
4 representative.

5 (c) The chair of the Michigan public service commission or his
6 or her designated representative.

7 (d) The president of the Michigan ~~sheriffs' association~~
8 **Sheriffs' Association** or his or her designated representative.

9 (e) The president of the Michigan ~~association~~**Association** of
10 ~~chiefs~~**Chiefs** of ~~police~~**Police** or his or her designated
11 representative.

12 (f) The president of the Michigan ~~fire chiefs association~~
13 **Association of Fire Chiefs** or his or her designated representative.

14 (g) The executive director of the Michigan ~~association~~
15 **Association** of ~~counties~~**Counties** or his or her designated
16 representative.

17 (h) The executive director of the ~~deputy sheriffs association~~
18 **Deputy Sheriffs' Association** of Michigan or his or her designated
19 representative.

20 (i) Three members of the general public, 1 member to be
21 appointed by the governor, 1 member to be appointed by the speaker
22 of the house of representatives, and 1 member to be appointed by
23 the majority leader of the senate. The 3 members of the general
24 public shall have expertise relating to telephone systems, rural
25 health care concerns, or emergency radio communications,
26 dispatching, and services. The members of the general public shall
27 serve for terms of 2 years.

28 (j) The executive director of the Michigan ~~fraternal order~~
29 **Fraternal Order** of ~~police~~**Police** or his or her designated

1 representative.

2 (k) The president of the Michigan ~~state police troopers~~
3 ~~association~~ **State Police Troopers Association** or his or her
4 designated representative.

5 (l) The president of the Michigan chapter of the ~~associated~~
6 ~~public safety communications officers~~ **Association of Public Safety**
7 **Communications Officials** or his or her designated representative.

8 (m) The president of the Michigan chapter of the ~~national~~
9 ~~emergency number association~~ **National Emergency Number Association**
10 or his or her designated representative.

11 (n) The president of the ~~telecommunications association~~
12 **Telecommunications Association** of Michigan or his or her designated
13 representative.

14 (o) The ~~executive director~~ **chair** of the Upper Peninsula
15 ~~emergency medical services corporation~~ **9-1-1 Authority** or his or
16 her designated representative.

17 (p) The executive director of the Michigan ~~association of~~
18 ~~ambulance services~~ **Association of Ambulance Services** or his or her
19 designated representative.

20 (q) The president of the Michigan ~~state firefighters union~~
21 **Professional Firefighters Union** or his or her designated
22 representative.

23 (r) The president of the Michigan ~~communications directors~~
24 ~~association~~ **Communications Directors Association** or his or her
25 designated representative.

26 (s) One representative of commercial mobile radio service, to
27 be appointed by the governor.

28 (2) A majority of the members of the committee constitute a
29 quorum for the purpose of conducting business and exercising the

1 powers of the committee. Official action of the committee may be
2 taken ~~upon~~**on** a vote of a majority of the members of the committee.

3 (3) The committee shall elect 1 of its members who is not a
4 member of the wireline or commercial mobile radio service industry
5 to serve as chairperson. The chairperson of the committee shall
6 serve for a term of 1 year.

7 (4) The committee may adopt, amend, and rescind bylaws, rules,
8 and regulations for the conduct of its business.

9 (5) Members of the committee shall serve without compensation,
10 but ~~shall be~~**are** entitled to actual and necessary expenses incurred
11 in the performance of official duties under this chapter.

12 Sec. 717. This act is repealed effective December 31,
13 ~~2021~~**2027**.