Reprinted
February 19, 2008

ENGROSSED
HOUSE BILL No. 1204

DIGEST OF HB 1204 (Updated February 18, 2008 3:03 pm - DI 73)

Citations Affected: IC 10-13; IC 36-8; noncode.

Synopsis: Public safety. Establishes the emergency alert system advisory committee to: (1) develop, update, and monitor the effectiveness of the state emergency alert system plan; (2) make recommendations concerning acquisition of appropriate technology and equipment to make the emergency notification system effective on a timely basis in all portions of Indiana; and (3) through the state police department, purchase appropriate technology and equipment to equip local primary relaying stations with monitoring equipment. Requires the state board of accounts to audit, not later than November 1, 2008, the expenditures of wireline enhanced emergency telephone system

(Continued next page)

Effective: Upon passage; July 1, 2008.

Crooks, Soliday
(SENATE SPONSORS — KRUSE, MEEKS, STEELE, TALLIAN, WYSS)

January 10, 2008, read first time and referred to Committee on Technology, Research and Development.
January 16, 2008, amended, reported — Do Pass.
January 29, 2008, read second time, amended, ordered engrossed.
January 30, 2008, engrossed. Read third time, passed. Yeas 90, nays 4.

SENATE ACTION

February 4, 2008, read first time and referred to Committee on Homeland Security, Transportation and Veterans Affairs.
February 7, 2008, pursuant to Senate Rule 65(b), reassigned to Committee on Appropriations.
February 14, 2008, amended, reported favorably — Do Pass.
February 18, 2008, read second time, amended, ordered engrossed.

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Digest Continued

fees made during the 2005, 2006, and 2007 calendar years by each unit that imposed such a fee during those calendar years. Beginning with respect to the 2008 calendar year, requires the state board of accounts to annually audit the expenditures of wireline enhanced emergency telephone system fees made during the immediately preceding calendar year by each unit that imposes such a fee. Provides that after December 31, 2011, a county may contain only one public safety answering point (PSAP), plus any back up system needed to assist the PSAP during: (1) an emergency; or (2) any other time; in which the PSAP is unable to assume its normal operations. Provides that a county may have more than one PSAP if any additional PSAP is operated by a state educational institution or by an airport authority established for a county having a consolidated city. Requires each PSAP operator in a county containing more than one PSAP to enter, not later than January 1, 2012, into an interlocal agreement with every other PSAP operator in the county to ensure that the county does not contain more than one PSAP after December 31, 2011. Requires the regulatory flexibility committee to study the appropriate mechanisms for funding both wireline and wireless enhanced emergency telephone systems in Indiana. Requires the committee to submit a report on its recommendations to the legislative council not later than December 1, 2008.

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Reprinted
February 19, 2008

Second Regular Session 115th General Assembly (2008)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type.~~

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~*this style type*~~ reconciles conflicts between statutes enacted by the 2007 Regular Session of the General Assembly.

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ENGROSSED
HOUSE BILL No. 1204

A BILL FOR AN ACT to amend the Indiana Code concerning public safety.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 10-13-7 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008]:

Chapter 7. Emergency Alert System Advisory Committee

Sec. 1. As used in this chapter, "emergency alert system" refers to the system described in 47 CFR 11.

Sec. 2. As used in this chapter, "committee" refers to the emergency alert system advisory committee established by section 3 of this chapter.

Sec. 3. The emergency alert system advisory committee is established.

Sec. 4. (a) The committee consists of the following members:

(1) The superintendent or the superintendent's designee. The superintendent or the superintendent's designee is the committee's chair.

(2) The executive director of the department of homeland security or the executive director's designee.

(3) The state health commissioner or the commissioner's designee.

(4) An individual representing the National Weather Service, appointed by the governor.

(5) Two (2) individuals representing television broadcasters in Indiana, appointed by the governor.

(6) Two (2) individuals representing radio broadcasters in Indiana, appointed by the governor.

(7) An individual representing an Indiana newspaper that maintains a twenty-four (24) hour web site, appointed by the governor.

(8) An individual representing a video service provider that provides video service to Indiana consumers, appointed by the governor.

(b) The following apply to a committee member appointed under subsection (a)(4), (a)(5), (a)(6), or (a)(7):

(1) The term of a member begins on one (1) of the following dates, whichever applies, during the year in which the member is appointed:

(A) July 1, if the member is appointed on or before July 1.

(B) The day the member accepts the member's appointment, if the member is appointed after July 1.

(2) The term of a member expires on July 1 of the fourth year after the year the member's term begins.

(3) A member may be reappointed to serve a new term.

Sec. 5. The committee shall do the following:

(1) Develop, update, and monitor the effectiveness of the state emergency alert system plan.

(2) Make recommendations concerning the acquisition of appropriate technology and equipment to make the emergency notification system effective on a timely basis in all parts of Indiana.

(3) Through the department, purchase appropriate technology and equipment to equip local primary relaying stations with monitoring equipment.

(4) Make applications for private, local, state, or federal grants to be used to enhance or improve the emergency alert system.

Sec. 6. The department shall provide administrative and staff support for the committee.

Sec. 7. (a) The committee's expenses shall be paid from appropriations made by the general assembly.

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(b) Money received by the committee as a grant or a gift is appropriated for the purposes of the grant or the gift.

Sec. 8. (a) Each member of the committee who is not a state employee is not entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b). The member is, however, entitled to reimbursement for travel expenses as provided in IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

(b) Each member of the committee who is a state employee is entitled to reimbursement for travel expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

Sec. 9. The affirmative votes of a majority of the members on the committee are required for the committee to take action on any measure.

SECTION 2. IC 36-8-16-14, AS AMENDED BY P.L.104-2006, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 14. (a) The emergency telephone system fees shall be used only to pay for:

(1) the lease, purchase, or maintenance of enhanced emergency telephone equipment, including necessary computer hardware, software, and data base provisioning;

(2) the rates associated with the service suppliers' enhanced emergency telephone system network services;

(3) the personnel expenses of the emergency telephone system;

(4) the lease, purchase, construction, or maintenance of voice and data communications equipment, communications infrastructure, or other information technology necessary to provide emergency response services under authority of the unit imposing the fee; and

(5) an emergency telephone notification system under IC 36-8-21.

The legislative body of the unit may appropriate money in the fund only for such an expenditure.

(b) This subsection applies to a county that:

(1) imposes a fee under section 5 of this chapter; and

(2) contains a municipality that operates a PSAP (as defined in IC 36-8-16.5-13).

Not later than January 31 of each year, the county fiscal body shall

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submit to each municipality described in subdivision (2) a report of all expenditures described in subsection (a) paid during the immediately preceding calendar year.

(c) The state board of accounts shall audit the expenditures of emergency telephone system fees made during each of the following calendar years by each unit that imposed a fee under section 5 of this chapter during the following calendar years:

(1) The calendar year ending December 31, 2005.

(2) The calendar year ending December 31, 2006.

(3) The calendar year ending December 31, 2007.

Not later than November 1, 2008, the state board of accounts shall report to the regulatory flexibility committee established by IC 8-1-2.6-4 on the audits conducted under this subsection.

(d) The state board of accounts annually shall audit the expenditures of emergency telephone system fees made during the immediately preceding calendar year by each unit that imposes a fee under section 5 of this chapter. The state board of accounts shall conduct the first audits required by this subsection with respect to expenditures of emergency telephone system fees made during the calendar year ending December 31, 2008.

(e) In conducting the audits required under subsections (c) and (d), the state board of accounts shall determine whether the expenditures made by each unit are in compliance with:

(1) subsection (a); and

(2) section 15 of this chapter, as appropriate.

SECTION 3. IC 36-8-16.5-51 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 51. (a) For purposes of this section, a PSAP includes a public safety communications system operated and maintained under IC 36-8-15.**

(b) As used in this section, "PSAP operator" means:

(1) a political subdivision; or

(2) an agency;

that operates a PSAP. The term does not include a state educational institution that operates a PSAP or an airport authority established for a county having a consolidated city.

(c) Except as provided in subsection (d), after December 31, 2011, a county may contain only one (1) PSAP, plus any back up system needed to assist the PSAP during:

(1) an emergency; or

(2) any other time;

in which the PSAP is unable to assume its normal operations.

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(d) A county may contain one (1) or more PSAPs in addition to the PSAP authorized under subsection (c), as long as any additional PSAPs are operated by a state educational institution or by an airport authority established for a county having a consolidated city.

(e) Before January 1, 2012, each PSAP operator in a county that contains more than one (1) PSAP shall enter into an interlocal agreement under IC 36-1-7 with every other PSAP operator in the county to ensure that the county does not contain more than one (1) PSAP after December 31, 2011.

(f) An interlocal agreement required under subsection (e) may include as parties, in addition to the PSAP operators required to enter into the interlocal agreement under subsection (e), any of the following that seek to be served by a county's PSAP after December 31, 2011:

(1) Other counties contiguous to the county.

(2) Other political subdivisions in a county contiguous to the county.

(3) Other PSAP operators in a county contiguous to the county.

(g) An interlocal agreement required under subsection (e) must provide for the following:

(1) A plan for the:

(A) consolidation;

(B) reorganization; or

(C) elimination;

of one (1) or more of the county's PSAPs, as necessary to ensure that the county does not contain more than one (1) PSAP after December 31, 2011.

(2) A plan for funding and staffing the PSAP that will serve:

(A) the county; and

(B) any areas contiguous to the county, if additional parties described in subsection (f) participate in the interlocal agreement;

after December 31, 2011.

(3) Subject to any applicable state or federal requirements, protocol to be followed by the county's PSAP in:

(A) receiving incoming 911 calls; and

(B) dispatching appropriate public safety agencies to respond to the calls;

after December 31, 2011.

(4) Any other matters that the participating PSAP operators

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or parties described in subsection (f), if any, determine are necessary to ensure that the county does not contain more than one (1) PSAP after December 31, 2011.

(h) This section may not be construed to require a county to contain a PSAP.

SECTION 4. [EFFECTIVE UPON PASSAGE] **(a) As used in this SECTION, "committee" refers to the regulatory flexibility committee established by IC 8-1-2.6-4.**

(b) As used in this SECTION, "PSAP" has the meaning set forth in IC 36-8-16.5-13.

(c) The committee shall study the appropriate mechanisms for funding both wireline and wireless enhanced emergency telephone systems in Indiana.

(d) In conducting the study required by this SECTION, the committee shall consider the following:

(1) The appropriateness of replacing:

(A) the wireline enhanced emergency telephone system fee that may be imposed under IC 36-8-16; and

(B) the wireless emergency enhanced 911 fee imposed under IC 36-8-16.5;

with a single fee that would apply to all voice communications service, regardless of the technology or protocol used to provide the service.

(2) The appropriate means for collecting and distributing any fees determined to be appropriate under subdivision (1).

(3) The appropriate uses by:

(A) PSAPs;

(B) counties;

(C) municipalities; or

(D) other political subdivisions or agencies;

of any fees determined to be appropriate under subdivision (1).

(4) The appropriate agency, board, commission, or other body to administer the collection, distribution, and investment of any fees determined to be appropriate under subdivision (1).

(5) The audits conducted by the state board of accounts under IC 36-8-16-14(c), as added by this act.

(6) Any other issues the committee determines to be appropriate in considering the mechanisms for funding wireline and wireless enhanced emergency telephone systems in Indiana.

(e) The committee shall prepare a report on the committee's

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recommendations, if any, concerning the issues described in subsection (d) and shall submit the report to the legislative council in an electronic format under IC 5-14-6 not later than December 1, 2008.

(f) This SECTION expires January 1, 2009.

SECTION 5. **An emergency is declared for this act.**

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Technology, Research and Development, to which was referred House Bill 1204, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 8-1-34-17, AS AMENDED BY P.L.1-2007, SECTION 77, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 17. (a) Not later than fifteen (15) business days after the commission receives an application under section 16 of this chapter, the commission shall determine whether the application is complete and properly verified. If the commission determines that the application is incomplete or is not properly verified, the commission shall notify the applicant of the deficiency and allow the applicant to resubmit the application after correcting the deficiency. If the commission determines that the application is complete and properly verified, the commission shall issue the applicant a certificate of franchise authority. A certificate issued under this section must contain:

(1) a grant of authority to provide the video service requested in the application;

(2) a grant of authority to use and occupy public rights-of-way in the delivery of the video service, subject to:

(A) state and local laws and regulations governing the use and occupancy of public rights-of-way; and

(B) the police powers of local units to enforce local ordinances and regulations governing the use and occupancy of public rights-of-way; ~~and~~

(3) a statement that the authority granted under subdivisions (1) and (2) is subject to the holder's lawful provision and operation of the video service; **and**

(4) a statement that the authority granted under subdivisions (1) and (2) is subject to an emergency video override ordinance adopted by a unit under IC 36-1-4-20.

(b) Except as provided in subsection (c) and sections 16(c) and 28 of this chapter, the commission may not require a provider to:

(1) satisfy any build-out requirements;

(2) deploy, or make investments in, any infrastructure, facilities, or equipment; or

(3) pay an application fee, a document fee, a state franchise fee, a service charge, or any fee other than the franchise fee paid to a

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local unit under section 24 of this chapter;

as a condition of receiving or holding a certificate under this chapter.

(c) This section does not limit the commission's right to enforce any obligation described in subsection (b) that a provider is subject to under the terms of a settlement agreement approved by the commission before July 29, 2004.

(d) The general assembly, a state agency, or a unit may not adopt a law, rule, ordinance, or regulation governing the use and occupancy of public rights-of-way that:

(1) discriminates against any provider, or is unduly burdensome with respect to any provider, based on the particular facilities or technology used by the provider to deliver video service; or

(2) allows a video service system owned or operated by a unit to use or occupy public rights-of-way on terms or conditions more favorable or less burdensome than those that apply to other providers.

A law, a rule, an ordinance, or a regulation that violates this subsection is void.".

Page 3, between lines 8 and 9, begin a new paragraph and insert:

"SECTION 3. IC 36-1-4-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. (a) Except as provided in subsection (b), this chapter applies to all units.

(b) ~~Section~~ **Sections** 11 **and 20** of this chapter ~~does~~ **do** not apply to townships.

SECTION 4. IC 36-1-4-20 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 20. (a) As used in this section, "emergency video override" means the interruption of video programming with:**

(1) video programming on at least one (1) channel; and

(2) an audio message on all channels simultaneously;

created to alert viewers of an emergency or a disaster.

(b) As used in this section, "franchise holder" refers to:

(1) a holder of a certificate of franchise authority issued by the Indiana utility regulatory commission under IC 8-1-34-17; or

(2) a holder of a local franchise (as defined in IC 8-1-34-8) that is in effect on March 14, 2008.

(c) A unit that is included, in whole or in part, in the service area of a franchise holder may adopt an ordinance requiring the franchise holder to provide the unit with the equipment necessary to allow the unit to provide both:

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(1) visual and auditory emergency information; and

(2) instructions to viewers;

during an emergency or a disaster through an emergency video override.

(d) An ordinance adopted under this section may set forth rules and procedures for the operation of the emergency video override, including activation points.".

Page 3, after line 14, begin a new paragraph and insert:

"SECTION 6. **An emergency is declared for this act.**".

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1204 as introduced.)

RESKE, Chair

Committee Vote: yes 9, nays 1.

HOUSE MOTION

Mr. Speaker: I move that House Bill 1204 be amended to read as follows:

Page 3, between lines 19 and 20, begin a new line block indented and insert:

"**(7) An individual who is a member of the Hoosier State Press Association, appointed by the governor.**".

Page 3, line 21, delete "**or (a)(6):**" and insert "**(a)(6), or (a)(7):**".

(Reference is to HB 1204 as printed January 17, 2008.)

MURPHY

HOUSE MOTION

Mr. Speaker: I move that House Bill 1204 be amended to read as follows:

Page 1, delete lines 1 through 17.

Page 2, delete lines 1 through 36.

Page 4, delete lines 20 through 42.

Page 5, delete lines 1 through 7.

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Page 5, delete line 14.
Renumber all SECTIONS consecutively.

(Reference is to HB 1204 as printed January 17, 2008.)

CROOKS

SENATE MOTION

Madam President: I move that Senator Wyss be added as cosponsor of Engrossed House Bill 1204.

KRUSE

Report of the President
Pro Tempore

Madam President: Pursuant to Senate Rule 65(b), I hereby report that Engrossed House Bill 1204, currently assigned to the Committee on Homeland Security, Transportation and Veterans Affairs, be reassigned to the Committee on Appropriations.

LONG

COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, to which was referred House Bill No. 1204, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Delete the title and insert the following:

A BILL FOR AN ACT to amend the Indiana Code concerning public safety.

Page 2, line 5, delete "An individual" and insert "**Two (2) individuals**".

Page 2, line 7, delete "An individual" and insert "**Two (2) individuals**".

Page 2, line 9, delete "who is a member of the Hoosier State Press" and insert "**representing an Indiana newspaper that maintains a**

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twenty-four (24) hour web site,".

Page 2, line 10, delete "Association,".

Page 2, between lines 10 and 11, begin a new line block indented and insert:

"**(8) An individual representing a video service provider that provides video service to Indiana consumers, appointed by the governor.**".

Page 2, line 13, delete "the later of the following:" and insert "**one (1) of the following dates, whichever applies, during the year in which the member is appointed:**".

Page 2, line 14, delete "1 after the member is appointed." and insert "**1, if the member is appointed on or before July 1.**".

Page 2, line 16, delete "appointment." and insert "**appointment, if the member is appointed after July 1.**".

Page 2, between lines 29 and 30, begin a new line block indented and insert:

"**(4) Make applications for private, local, state, or federal grants to be used to enhance or improve the emergency alert system.**".

Page 3, delete lines 11 through 16, begin a new paragraph and insert:

"SECTION 2. IC 36-8-16-14, AS AMENDED BY P.L.104-2006, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 14. (a) The emergency telephone system fees shall be used only to pay for:

(1) the lease, purchase, or maintenance of enhanced emergency telephone equipment, including necessary computer hardware, software, and data base provisioning;

(2) the rates associated with the service suppliers' enhanced emergency telephone system network services;

(3) the personnel expenses of the emergency telephone system;

(4) the lease, purchase, construction, or maintenance of voice and data communications equipment, communications infrastructure, or other information technology necessary to provide emergency response services under authority of the unit imposing the fee; and

(5) an emergency telephone notification system under IC 36-8-21.

The legislative body of the unit may appropriate money in the fund only for such an expenditure.

(b) This subsection applies to a county that:

(1) imposes a fee under section 5 of this chapter; and

(2) contains a municipality that operates a PSAP (as defined in

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IC 36-8-16.5-13).

Not later than January 31 of each year, the county fiscal body shall submit to each municipality described in subdivision (2) a report of all expenditures described in subsection (a) paid during the immediately preceding calendar year.

(c) The state board of accounts shall audit the expenditures of emergency telephone system fees made during each of the following calendar years by each unit that imposed a fee under section 5 of this chapter during the following calendar years:

(1) The calendar year ending December 31, 2005.

(2) The calendar year ending December 31, 2006.

(3) The calendar year ending December 31, 2007.

Not later than November 1, 2008, the state board of accounts shall report to the regulatory flexibility committee established by IC 8-1-2.6-4 on the audits conducted under this subsection.

(d) The state board of accounts annually shall audit the expenditures of emergency telephone system fees made during the immediately preceding calendar year by each unit that imposes a fee under section 5 of this chapter. The state board of accounts shall conduct the first audits required by this subsection with respect to expenditures of emergency telephone system fees made during the calendar year ending December 31, 2008.

(e) In conducting the audits required under subsections (c) and (d), the state board of accounts shall determine whether the expenditures made by each unit are in compliance with:

(1) subsection (a); and

(2) section 15 of this chapter, as appropriate.

SECTION 3. IC 36-8-16.5-51 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 51. (a) For purposes of this section, a PSAP includes a public safety communications system operated and maintained under IC 36-8-15.**

(b) As used in this section, "PSAP operator" means:

(1) a political subdivision; or

(2) an agency;

that operates a PSAP. The term does not include a state educational institution that operates a PSAP.

(c) Except as provided in subsection (d), after December 31, 2011, a county may contain only one (1) PSAP, plus any back up system needed to assist the PSAP during:

(1) an emergency; or

(2) any other time;

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in which the PSAP is unable to assume its normal operations.

(d) A county may contain one (1) or more PSAPs in addition to the PSAP authorized under subsection (c), as long as any additional PSAPs are operated by a state educational institution.

(e) Before January 1, 2012, each PSAP operator in a county that contains more than one (1) PSAP shall enter into an interlocal agreement under IC 36-1-7 with every other PSAP operator in the county to ensure that the county does not contain more than one (1) PSAP after December 31, 2011.

(f) An interlocal agreement required under subsection (e) may include as parties, in addition to the PSAP operators required to enter into the interlocal agreement under subsection (e), any of the following that seek to be served by a county's PSAP after December 31, 2011:

(1) Other counties contiguous to the county.

(2) Other political subdivisions in a county contiguous to the county.

(3) Other PSAP operators in a county contiguous to the county.

(g) An interlocal agreement required under subsection (e) must provide for the following:

(1) A plan for the:

(A) consolidation;

(B) reorganization; or

(C) elimination;

of one (1) or more of the county's PSAPs, as necessary to ensure that the county does not contain more than one (1) PSAP after December 31, 2011.

(2) A plan for funding and staffing the PSAP that will serve:

(A) the county; and

(B) any areas contiguous to the county, if additional parties described in subsection (f) participate in the interlocal agreement;

after December 31, 2011.

(3) Subject to any applicable state or federal requirements, protocol to be followed by the county's PSAP in:

(A) receiving incoming 911 calls; and

(B) dispatching appropriate public safety agencies to respond to the calls;

after December 31, 2011.

(4) Any other matters that the participating PSAP operators or parties described in subsection (f), if any, determine are

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necessary to ensure that the county does not contain more than one (1) PSAP after December 31, 2011.

(h) This section may not be construed to require a county to contain a PSAP.

SECTION 4. [EFFECTIVE UPON PASSAGE] **(a) As used in this SECTION, "committee" refers to the regulatory flexibility committee established by IC 8-1-2.6-4.**

(b) As used in this SECTION, "PSAP" has the meaning set forth in IC 36-8-16.5-13.

(c) The committee shall study the appropriate mechanisms for funding both wireline and wireless enhanced emergency telephone systems in Indiana.

(d) In conducting the study required by this SECTION, the committee shall consider the following:

(1) The appropriateness of replacing:

(A) the wireline enhanced emergency telephone system fee that may be imposed under IC 36-8-16; and

(B) the wireless emergency enhanced 911 fee imposed under IC 36-8-16.5;

with a single fee that would apply to all voice communications service, regardless of the technology or protocol used to provide the service.

(2) The appropriate means for collecting and distributing any fees determined to be appropriate under subdivision (1).

(3) The appropriate uses by:

(A) PSAPs;

(B) counties;

(C) municipalities; or

(D) other political subdivisions or agencies;

of any fees determined to be appropriate under subdivision (1).

(4) The appropriate agency, board, commission, or other body to administer the collection, distribution, and investment of any fees determined to be appropriate under subdivision (1).

(5) The audits conducted by the state board of accounts under IC 36-8-16-14(c), as added by this act.

(6) Any other issues the committee determines to be appropriate in considering the mechanisms for funding wireline and wireless enhanced emergency telephone systems in Indiana.

(e) The committee shall prepare a report on the committee's recommendations, if any, concerning the issues described in

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subsection (d) and shall submit the report to the legislative council in an electronic format under IC 5-14-6 not later than December 1, 2008.

(f) This SECTION expires January 1, 2009.

SECTION 5. **An emergency is declared for this act.**".

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1204 as reprinted January 30, 2008.)

MEEKS, Chairperson

Committee Vote: Yeas 11, Nays 0.

SENATE MOTION

Madam President: I move that Engrossed House Bill 1204 be amended to read as follows:

Page 4, line 35, after "PSAP" delete "." and insert "**or an airport authority established for a county having a consolidated city.**".

Page 5, line 2, after "institution" delete "." and insert "**or by an airport authority established for a county having a consolidated city.**".

(Reference is to EHB 1204 as printed February 15, 2008.)

HERSHMAN

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