

1 State of Arkansas  
2 90th General Assembly  
3 Regular Session, 2015  
4

*As Engrossed: S3/17/15*  
**A Bill**

SENATE BILL 977

5 By: Senator B. Pierce  
6

7 **For An Act To Be Entitled**

8 AN ACT TO AMEND ARKANSAS LAW CONCERNING LOCAL 911  
9 SYSTEMS; AMENDING ARKANSAS LAW PERTAINING TO  
10 OVERSIGHT, COORDINATION, REPORTING, AND TRAINING OF  
11 LOCAL 911 SYSTEMS AND DISPATCHERS; AND FOR OTHER  
12 PURPOSES.  
13

14 **Subtitle**

15 TO AMEND ARKANSAS LAW CONCERNING LOCAL  
16 911 SYSTEMS; AMENDING ARKANSAS LAW  
17 PERTAINING TO OVERSIGHT, COORDINATION,  
18 REPORTING, AND TRAINING OF LOCAL 911  
19 SYSTEMS AND DISPATCHERS.  
20

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22  
23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
24

25 *SECTION 1. Arkansas Code § 12-10-303, concerning definitions, is*  
26 *amended to add an additional subdivision to read as follows:*

27 *(30) "Secondary public safety answering point" means the location at*  
28 *which 911 calls are transferred to from a public safety answering point.*  
29

30 *SECTION 2. Arkansas Code § 12-10-318(c), concerning the duties of the*  
31 *Arkansas Emergency Telephone Services Board, is amended to read as follows:*

32 *(c)(1) There is established the Arkansas Emergency Telephone Services*  
33 *Board, consisting of the following:*

34 *(A) The Auditor of State or his or her designated*  
35 *representative;*

36 *(B) Two (2) representatives selected by a majority of the*



1 commercial mobile radio service providers licensed to do business in the  
2 state;

3 (C) Two (2) 911 system employees selected by a majority of  
4 the public safety answering point administrators in the state;

5 (D) The Director of the Arkansas Department of Emergency  
6 Management or the director's designee;

7 (E) One (1) consumer member to be appointed by the  
8 President Pro Tempore of the Senate; and

9 (F) One (1) consumer member to be appointed by the Speaker  
10 of the House of Representatives.

11 (2) The responsibilities of the board shall be as follows:

12 (A) To establish and maintain an interest-bearing account  
13 into which shall be deposited revenues from the service charges levied under  
14 subdivision (b)(1)(A) of this section and prepaid wireless E911 charges under  
15 § 12-10-326;

16 (B) To manage and disburse the funds from the interest-  
17 bearing account established under subdivision (c)(2)(A) of this section in  
18 the following manner:

19 (i)(a) Not less than eighty-three and five-tenths  
20 percent (83.5%) of the total monthly revenues collected and remitted under  
21 subdivision (b)(1)(A) of this section and prepaid wireless E911 charges under  
22 § 12-10-326 shall be distributed on a population basis to each political  
23 subdivision operating a 911 public safety communications center that has the  
24 capability of receiving commercial mobile radio service 911 calls on  
25 dedicated 911 trunk lines for expenses incurred for the answering, routing,  
26 and proper disposition of 911 calls, including payroll costs, readiness  
27 costs, and training costs associated with wireless, voice over internet  
28 protocol, and nontraditional 911 calls.

29 (b) Each state fiscal year, ~~one hundred twenty~~  
30 ~~thousand dollars (\$120,000)~~ two hundred thousand dollars (\$200,000) of the  
31 total monthly revenues collected and remitted under subdivision  
32 (c)(2)(B)(i)(a) of this section shall be transferred and deposited to the  
33 credit of the books of the Treasurer of State and the Auditor of State for  
34 the Miscellaneous Agencies Fund Account for the Arkansas Commission on Law  
35 Enforcement Standards and Training, to be used exclusively for training and  
36 all related costs under § 12-10-325;

1                   (ii)(a) Not more than fifteen percent (15%) of the  
2 total monthly revenues collected and remitted under subdivision (b)(1)(A) of  
3 this section and prepaid wireless E911 charges under § 12-10-326 shall be  
4 held in the interest-bearing account. The board shall report to the  
5 Legislative Council in the event the sum held under this subdivision  
6 (c)(2)(B)(ii)(a) becomes less than three million five hundred thousand  
7 dollars (\$3,500,000).

8                   (b) These funds may be utilized by the public  
9 safety answering points for the following purposes in connection with  
10 compliance with the Federal Communications Commission requirements:  
11 upgrading, purchasing, programming, installing, and maintaining necessary  
12 data, basic 911 geographic information system mapping, hardware, and  
13 software, including any network elements required to supply enhanced 911  
14 phase II cellular, voice over internet protocol, and other nontraditional  
15 telephone service.

16                   (c) Invoices must be presented to the board in  
17 connection with any request for reimbursement and be approved by a majority  
18 vote of the board to receive reimbursement.

19                   (d) Any invoices presented to the board for  
20 reimbursements of costs not described by this section may be approved only by  
21 a unanimous vote of the board;

22                   (iii) Not more than five-tenths percent (0.5%) of  
23 the fees collected under subdivision (b)(1)(A) of this section and prepaid  
24 wireless E911 charges under § 12-10-326 may be utilized by the board to  
25 compensate the independent auditor and for administrative expenses;

26                   (iv) All interest received on funds in the interest-  
27 bearing account shall be disbursed as prescribed in subdivision (c)(2)(B)(i)  
28 of this section; and

29                   (v)(a)(1) All cities and counties ~~receiving funds~~  
30 under this section operating a public safety answering point or a secondary  
31 public safety answering point shall submit to the board no later than April 1  
32 of each year;

33   (A) ~~an~~ An explanation and  
34 accounting of the funds received and expenditures of those funds for the  
35 previous calendar year, along with a copy of the budget for the previous year  
36 and a copy of the year-end appropriation and expenditure analysis of any

1 participating or supporting counties, cities, or agencies; and

2 (B) Any information requested by  
3 the board concerning local 911 public safety answering point operations,  
4 facilities, equipment, personnel, network, interoperability, call volume,  
5 dispatcher training, and supervisor training.

6 (2) The chief executive for each public  
7 safety answering point or secondary public safety answering point shall  
8 gather the information necessary for the report under subdivision  
9 (c)(2)(B)(v)(a)(1) of this section and provide it to the official responsible  
10 for the submission of the report to the board and the county  
11 intergovernmental coordination council.

12 (3) Beginning January 1, 2016, a public  
13 safety answering point or a secondary public safety answering point shall  
14 submit within its information under subdivision (c)(2)(B)(v)(a)(1) of this  
15 section the name of each dispatcher, the dispatcher's date of hire, the  
16 dispatcher's date of termination if applicable, and approved courses by the  
17 Arkansas Commission on Law Enforcement Standards and Training which were  
18 completed by the dispatcher, including without limitation "train the trainer"  
19 courses.

20 (4) Beginning January 1, 2017, the board  
21 shall withhold quarterly disbursement from a public safety answering point or  
22 a secondary public safety answering point until fifty percent (50%) of the  
23 dispatchers for the city or county have completed dispatcher training and  
24 dispatcher continuing education approved by the Arkansas Commission on Law  
25 Enforcement Standards and Training.

26 (b) The chief executive for each public safety  
27 answering point and secondary public safety answering point shall provide a  
28 copy of its certification to the county intergovernmental coordination  
29 council for use in conducting the annual review of services under § 14-27-  
30 104.

31 (c) Failure to submit a report under  
32 subdivision (c)(2)(B)(v)(a)(1) of this section or a certification under  
33 (c)(2)(B)(v)(b) of this section shall result in the withholding of quarterly  
34 disbursements by the board until the public safety answering point and  
35 secondary public safety answering point have submitted the report or  
36 certification.

1 ~~(b)(1)(d)(1)~~ The board may require any other  
2 information necessary ~~to ensure that the funds have been properly utilized~~  
3 ~~according to~~ under this section.

4 (2) All cities and counties receiving  
5 funds under this section also shall submit to the board no later than April 1  
6 of each year a copy of all documents reflecting the 911 funds received for  
7 the previous calendar year, including without limitation wireless, wireline,  
8 general revenues, sales taxes, and other sources used by the city or county  
9 for 911 services.

10 ~~(e)(e)~~ Failure to submit the proper accounting  
11 information and failure to utilize the funds in a proper manner may result in  
12 the suspension or reduction of funding until corrected;

13 (C)(i) To promulgate rules necessary to perform its duties  
14 prescribed by this subchapter.

15 (ii) In determining the population basis for  
16 distribution of funds under subdivision (c)(2)(B)(i) of this section, the  
17 board shall determine, based on the latest federal decennial census, the  
18 population of all unincorporated areas of counties operating a 911 public  
19 safety communications center that has the capacity of receiving commercial  
20 mobile radio service, voice over internet protocol service, or nontraditional  
21 911 calls on dedicated 911 trunk lines, and the population of all  
22 incorporated areas operating a 911 public safety communications center that  
23 has the capability of receiving commercial mobile radio service, voice over  
24 internet protocol service, or nontraditional 911 calls on dedicated 911 trunk  
25 lines and compare the population of each of those political subdivisions to  
26 the total population;

27 (D) To submit annual reports to the office of the Auditor  
28 of State outlining fees collected and moneys disbursed to public safety  
29 answering points from service charges under subdivision (b)(1)(A) of this  
30 section and prepaid wireless E911 charges under § 12-10-326; and

31 (E)(i) To retain an independent third-party auditor for  
32 the purposes of receiving, maintaining, and verifying the accuracy of any  
33 proprietary information submitted to the board by commercial mobile radio  
34 service providers.

35 (ii) Due to the confidential and proprietary nature  
36 of the information submitted by commercial mobile radio service providers,

1 the information shall be retained by the independent auditor in confidence,  
2 shall be subject to review only by the Auditor of State, and shall not be  
3 subject to the Freedom of Information Act of 1967, § 25-19-101 et seq., nor  
4 released to any third party.

5 (iii) The information collected by the independent  
6 auditor shall be released only in aggregate amounts that do not identify or  
7 allow identification of numbers of subscribers or revenues attributable to an  
8 individual commercial mobile radio service provider.

9 (3) Commercial mobile radio service providers, voice over  
10 internet protocol, or other nontraditional communications providers shall be  
11 entitled to retain one percent (1%) of the fees collected under subdivision  
12 (b)(1)(A) of this section as reimbursement for collection and handling of the  
13 charges.

14  
15 SECTION 3. Arkansas Code § 12-10-325 is amended to read as follows:  
16 12-10-325. Training standards.

17 (a)(1) A public safety agency, a public safety answering point, a  
18 dispatch center, or a 911 public safety communications center may provide  
19 training opportunities for 911 public safety ~~communication~~ communications  
20 center personnel through the Arkansas Commission on Law Enforcement Standards  
21 and Training and the Arkansas Law Enforcement Training Academy.

22 (2) The Arkansas Law Enforcement Training Academy shall develop  
23 training standards for dispatchers, supervisors, and instructors in Arkansas  
24 in consultation with the Association of Public-Safety-Communications  
25 Officials-International, Inc. and submit the training standards to the  
26 Arkansas Commission on Law Enforcement Standards and Training for approval.

27 (3)(A) Training for instructors may include without limitation  
28 instructor development, course development, leadership development, and other  
29 appropriate 911 instructor training.

30 (B) Training for dispatchers and supervisors may include  
31 without limitation:

- 32 (i) ~~call~~ Call taking<sub>;</sub>
- 33 (ii) ~~customer~~ Customer service<sub>;</sub>
- 34 (iii) ~~stress~~ Stress management<sub>;</sub>
- 35 (iv) ~~mapping~~ Mapping;
- 36 (v) ~~call~~ Call processing<sub>;</sub>

1 ~~(vi) telecommunication~~ Telecommunication and radio  
2 equipment training;

3 ~~(vii) training~~ Training with devices for the deaf;

4 ~~(viii) autism,~~ Autism;

5 ~~(ix) National Incident Management System training;~~

6 ~~(x) Incident Command System training;~~

7 ~~(xi) National Center for Missing and Exploited~~  
8 Children training;

9 ~~(xii) National Emergency Number Association~~  
10 training;

11 ~~(xiii) Association of Public Safety Communications~~  
12 Officials International, Inc. training; and

13 ~~(xiv) and other~~ Other appropriate 911 dispatcher and  
14 supervisor training.

15 (4) An entity that provides training under subdivision (a)(1) of  
16 this section shall:

17 ~~(A) may retain~~ Retain training records created under this  
18 section; and

19 ~~(B) Deliver an annual report to the Arkansas Emergency~~  
20 Telephone Services Board of training provided by the entity to verify the  
21 dispatcher and supervisor training reported as completed by each public  
22 safety answering point annually under § 12-10-318.

23 ~~(b)(1) A private safety agency that performs dispatch functions is not~~  
24 eligible for training under this section may attend training or receive  
25 instruction at the invitation of the commission.

26 ~~(2) The commission may assess a fee on a private safety agency~~  
27 invited to attend training or receive instruction under this subsection to  
28 reimburse the commission for costs associated with the training or  
29 instruction.

30  
31 /s/B. Pierce  
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