

HOUSE BILL No. 6070

May 7, 2008, Introduced by Rep. Mayes and referred to the Committee on Energy and Technology.

A bill to amend 1986 PA 32, entitled "Emergency 9-1-1 service enabling act," by amending section 401b (MCL 484.1401b), as added by 2007 PA 164, and by adding sections 401f and 401g.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 401b. (1) In addition to the charge allowed under section
2 401a, after June 30, 2008 a county board of commissioners may, by
3 ~~resolution,~~ millage **OR** as otherwise allowed by law, with the
4 approval of the voters in the county, or any combination thereof,
5 assess a county 9-1-1 charge. The board of commissioners shall
6 state in the ~~resolution,~~ ballot question ~~,~~ or millage request the
7 anticipated amount to be generated.

8 (2) The charge assessed under this section and section 401e

1 shall not exceed the amount necessary and reasonable to implement,
2 maintain, and operate the 9-1-1 system in the county. **THE CHARGE**
3 **ASSESSED UNDER THIS SECTION AND SECTION 401E SHALL NOT EXCEED**
4 **\$3.00.**

5 (3) If the voters approve the charge to be assessed on the
6 service user's monthly bill on a ballot question under this
7 section, the service provider's bill shall state the following:

8 "This amount is for your 9-1-1 service which has been approved
9 by the voters on (DATE OF VOTER APPROVAL). This is not a charge
10 assessed by your service supplier. If you have questions concerning
11 your 9-1-1 service, you may call (INCLUDE APPROPRIATE TELEPHONE
12 NUMBER)."

13 (4) Within 90 days after the first day of each fiscal or
14 calendar year of a county, an annual accounting shall be made of
15 the charge approved under this section.

16 (5) Except as otherwise provided in subsection (9), the county
17 9-1-1 charge collected under this section shall be paid quarterly
18 directly to the county and distributed by the county to the primary
19 PSAPs by 1 of the following methods:

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

21 (b) If distribution is not provided for in the plan, then
22 according to any agreement for distribution between the county and
23 public agencies.

24 (c) If distribution is not provided in the plan or by
25 agreement, then according to population within the emergency 9-1-1
26 district.

27 (6) ~~The~~ **SUBJECT TO SECTION 401F, THE** county may adjust the

1 county 9-1-1 charge annually to be effective July 1. The county
2 shall notify the committee no later than April 1 of each year of
3 any change in the county 9-1-1 charge under this section.

4 (7) If a county has multiple emergency response districts, the
5 county 9-1-1 charge collected under this section shall be
6 distributed under subsection (5) in proportion to the population
7 within the emergency 9-1-1 district.

8 (8) This section shall not preclude the distribution of
9 funding to secondary PSAPs if the distribution is determined by the
10 primary PSAPs within the emergency 9-1-1 district to be the most
11 effective method for dispatching of fire or emergency medical
12 services and the distribution is approved within the final 9-1-1
13 service plan.

14 (9) The service supplier may retain 2% of the approved county
15 9-1-1 charge to cover the supplier's costs for billings and
16 collections under this section.

17 (10) The charge allowed under this section shall be listed
18 separately on the customer's bill and shall state by which means
19 the charge was approved under subsection (1).

20 (11) Information submitted by a service supplier to a county
21 under this section is exempt from the freedom of information act,
22 1976 PA 442, MCL 15.231 to 15.246, and shall not be released by the
23 county without the consent of the service supplier.

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

1 SEC. 401F. (1) IF A COUNTY WISHES TO INCREASE ITS SURCHARGE
2 UNDER SECTION 401B, IT SHALL SUBMIT TO THE COMMISSION ALL OF THE
3 FOLLOWING INFORMATION:

4 (A) THE COUNTY 9-1-1 SURCHARGE IN EFFECT FOR EACH 9-1-1
5 SERVICE DISTRICT.

6 (B) THE AMOUNT OF REVENUE GENERATED IN EACH 9-1-1 SERVICE
7 DISTRICT WITH THE CURRENT 9-1-1 SURCHARGE FOR THE PREVIOUS 12
8 MONTHS.

9 (C) THE ESTIMATED AMOUNT OF REVENUE TO BE GENERATED FOR 12
10 MONTHS BASED ON THE PROPOSED CHANGE TO THE SURCHARGE.

11 (2) THE COMMISSION SHALL REVIEW AND EITHER APPROVE OR
12 DISAPPROVE THE PROPOSED COUNTY 9-1-1 SURCHARGE WITHIN 45 DAYS OF
13 RECEIVING THE INFORMATION UNDER SUBSECTION (1). IF THE COMMISSION
14 APPROVES THE REQUESTED SURCHARGE, THE COUNTY SHALL, PRIOR TO
15 IMPLEMENTING THE SURCHARGE, SUBMIT THE SURCHARGE APPROVED BY THE
16 COMMISSION FOR APPROVAL OF THE VOTERS IN THE COUNTY. IF THE VOTERS
17 APPROVE THE SURCHARGE, THE COUNTY MAY ADJUST THE SURCHARGE TO
18 REFLECT THE AMOUNT APPROVED AS PROVIDED IN SECTION 401B(6). A
19 COUNTY MAY NOT SEEK VOTER APPROVAL FOR A 9-1-1 SURCHARGE UNLESS THE
20 PROPOSED 9-1-1 SURCHARGE HAS BEEN APPROVED BY THE COMMISSION.

21 SEC. 401G. TWELVE MONTHS AFTER THE IMPLEMENTATION DATE OF THE
22 SURCHARGE UNDER SECTIONS 401B AND 401F, AND ANNUALLY THEREAFTER, A
23 COUNTY SHALL SUBMIT SUFFICIENT FINANCIAL INFORMATION TO THE
24 COMMISSION TO ENABLE THE COMMISSION TO ENSURE THAT THE REVENUES
25 GENERATED BY THE SURCHARGE DO NOT EXCEED THE AMOUNT APPROVED BY
26 VOTERS IN THE COUNTY. IF THE COMMISSION DETERMINES THAT THE REVENUE
27 GENERATED BY THE SURCHARGE EXCEEDED THE AMOUNT APPROVED BY THE

1 VOTERS, THE COMMISSION SHALL MODIFY THE SURCHARGE TO GENERATE ONLY
2 THE AMOUNT APPROVED BY VOTERS IN THAT COUNTY.