

SENATE BILL No. 410

April 18, 2007, Introduced by Senators BROWN, BASHAM, HUNTER, BARCIA, KAHN, JELINEK and PAPPAGEORGE and referred to the Committee on Energy Policy and Public Utilities.

A bill to amend 1986 PA 32, entitled
"Emergency telephone service enabling act,"
by amending the title and sections 101, 102, 201, 202, 203, 205,
301, 302, 303, 306, 307, 308, 312, 319, 320, and 401 (MCL
484.1101, 484.1102, 484.1201, 484.1202, 484.1203, 484.1205,
484.1301, 484.1302, 484.1303, 484.1306, 484.1307, 484.1308,
484.1312, 484.1319, 484.1320, and 484.1401), the title as amended
by 1994 PA 36, sections 102 and 303 as amended by 1999 PA 80,
section 201 as amended by 1999 PA 78, section 205 as amended by
1998 PA 23, sections 301 and 401 as amended by 2006 PA 249,
section 308 as amended by 1994 PA 29, section 319 as added by
1989 PA 36, and section 320 as amended by 1998 PA 122, and by

adding sections 401a, 401b, and 401c.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

TITLE

An act to provide for the establishment of emergency ~~telephone-9-1-1~~ districts; to provide for the installation, operation, modification, and maintenance of universal emergency ~~number-9-1-1~~ service systems; to provide for the imposition and collection of certain charges; to provide the powers and duties of certain state agencies, local units of government, public officers, ~~telephone~~-service suppliers, and others; to create an emergency ~~telephone-9-1-1~~ service committee; to provide remedies ~~;~~ ~~to provide~~ **AND** penalties; and to repeal ~~certain parts of this act on specific dates~~ **ACTS AND PARTS OF ACTS.**

Sec. 101. This act shall be known and may be cited as the "emergency ~~telephone-9-1-1~~ service enabling act".

Sec. 102. As used in this act:

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

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

(c) "Commercial mobile radio service" or "CMRS" means

1 commercial mobile radio service regulated under section 3 of
2 title I and section 332 of title III of the communications act of
3 1934, chapter 652, 48 Stat. 1064, 47 U.S.C.—**USC** 153 and 332, and
4 the rules of the federal communications commission or provided
5 ~~pursuant to~~ **UNDER** the wireless emergency service order.

6 Commercial mobile radio service or CMRS includes all of the
7 following:

8 (i) A wireless 2-way communication device, including a radio
9 telephone used in cellular telephone service or personal
10 communication service.

11 (ii) A functional equivalent of a radio telephone
12 communications line used in cellular telephone service or
13 personal communication service.

14 (iii) A network radio access line.

15 (D) **"COMMITTEE" MEANS THE EMERGENCY 9-1-1 SERVICE COMMITTEE**
16 **CREATED UNDER SECTION 712.**

17 (E) **"COMMUNICATION SERVICE" MEANS A SERVICE CAPABLE OF**
18 **ACCESSING, CONNECTING WITH, OR INTERFACING WITH A 9-1-1 SYSTEM BY**
19 **DIALING, INITIALIZING, OR OTHERWISE ACTIVATING THE 9-1-1 SYSTEM**
20 **THROUGH THE NUMERALS 9-1-1 BY MEANS OF A LOCAL TELEPHONE DEVICE,**
21 **CELLULAR TELEPHONE DEVICE, WIRELESS COMMUNICATION DEVICE, VOICE**
22 **OVER THE INTERNET DEVICE, OR ANY OTHER MEANS.**

23 (F) ~~(d)~~ **"CMRS connection" means each number assigned to a**
24 **CMRS customer.**

25 (G) ~~(e)~~ **"Consolidated dispatch" means a countywide or**
26 **regional emergency dispatch service that provides dispatch**
27 **service for 75% or more of the law enforcement, fire fighting,**

1 emergency medical service, and other emergency service agencies
2 within the geographical area of a 9-1-1 service district or
3 serves 75% or more of the population within a 9-1-1 service
4 district.

5 (H) "COUNTY 9-1-1 CHARGE" MEANS THE CHARGE ALLOWED UNDER
6 SECTIONS 401B AND 401C.

7 (I) ~~(f)~~—"Database service provider" means a service supplier
8 who maintains and supplies or contracts to maintain and supply an
9 ALI database or a ~~AN~~ MSAG.

10 (J) ~~(g)~~—"Direct dispatch method" means that the agency
11 receiving the 9-1-1 call at the public safety answering point
12 decides on the proper action to be taken and dispatches the
13 appropriate available public safety service unit located closest
14 to the request for public safety service.

15 (K) ~~(h)~~—"Emergency response service" or "ERS" means a public
16 or private agency that responds to events or situations that are
17 dangerous or that are considered by a member of the public to
18 threaten the public safety. An emergency response service
19 includes a police or fire department, an ambulance service, or
20 any other public or private entity trained and able to alleviate
21 a dangerous or threatening situation.

22 (L) ~~(i)~~—"Emergency service zone" or "ESZ" means the
23 designation assigned by a county to each street name and address
24 range that identifies which emergency response service is
25 responsible for responding to an exchange access facility's
26 premises.

27 (M) ~~(j)~~—"Emergency telephone charge" means emergency

1 telephone operational charge and emergency telephone technical
2 charge **ALLOWED UNDER SECTION 401**.

3 (N) ~~(k)~~—"Emergency telephone ~~9-1-1~~ district" or "9-1-1
4 service district" means the area in which 9-1-1 service is
5 provided or is planned to be provided to service users under a 9-
6 1-1 system implemented under this act.

7 (O) ~~(l)~~—"Emergency telephone ~~9-1-1~~ district board" means the
8 governing body created by the board of commissioners of the
9 county or counties with authority over an emergency telephone ~~9-1-1~~
10 district.

11 (P) ~~(m)~~—"Emergency telephone operational charge" means a
12 charge **ALLOWED UNDER SECTION 401** for nonnetwork technical
13 equipment and other costs directly related to the dispatch
14 facility and the operation of 1 or more PSAPs including, but not
15 limited to, the costs of dispatch personnel and radio equipment
16 necessary to provide 2-way communication between PSAPs and a
17 public safety agency. Emergency telephone operational charge does
18 not include non-PSAP related costs such as response vehicles and
19 other personnel.

20 (Q) ~~(n)~~—"Emergency telephone technical charge" **OR "EMERGENCY**
21 **9-1-1 TECHNICAL CHARGE"** means a charge **ALLOWED UNDER SECTION 401**
22 **OR 401A(6)** for the network start-up costs, customer notification
23 costs, billing costs including an allowance for uncollectibles
24 for technical and operational charges, and network nonrecurring
25 and recurring installation, maintenance, service, and equipment
26 charges of a service supplier providing 9-1-1 service under this
27 act.

1 (R) ~~(e)~~—"Exchange access facility" means the access from a
2 particular service user's premises to the ~~telephone system~~
3 **COMMUNICATION SERVICE**. Exchange access facilities include service
4 supplier provided access lines, PBX trunks, and centrex line
5 trunk equivalents, all as defined by tariffs of the service
6 suppliers as approved by the public service commission. Exchange
7 access facilities do not include telephone pay station lines or
8 WATS, FX, or incoming only lines.

9 (S) ~~(p)~~—"Final 9-1-1 service plan" means a tentative 9-1-1
10 service plan that has been modified only to reflect necessary
11 changes resulting from any exclusions of public agencies from the
12 9-1-1 service district of the tentative 9-1-1 service plan under
13 section 306 and any failure of public safety agencies to be
14 designated as PSAPs or secondary PSAPs under section 307.

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

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

26 (V) ~~(s)~~—"Person" means an individual, corporation,
27 partnership, association, governmental entity, or any other legal

1 entity.

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

11 **(X)** ~~(u)~~—"Prime rate" means the average predominant prime
12 rate quoted by not less than 3 commercial financial institutions
13 as determined by the department of treasury.

14 **(Y)** ~~(v)~~—"Private safety entity" means a nongovernmental
15 organization that provides emergency fire, ambulance, or medical
16 services.

17 **(Z)** ~~(w)~~—"Public agency" means a village, township, charter
18 township, or city within the state and any special purpose
19 district located in whole or in part within the state.

20 **(AA)** ~~(x)~~—"Public safety agency" means a functional division
21 of a public agency, county, or the state that provides fire
22 fighting, law enforcement, ambulance, medical, or other emergency
23 services.

24 **(BB)** ~~(y)~~—"Qualified obligations" means obligations that meet
25 1 or more of the following:

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

1 (A) The proceeds of the obligations are used for capital
2 expenditures, costs of a reserve fund securing the obligations,
3 and costs of issuing the obligations. The proceeds of obligations
4 shall not be used for operational expenses.

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

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

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

16 (CC) ~~(z)~~ "Relay method" means that a PSAP notes pertinent
17 information and relays it by ~~telephone, radio, or private line~~ **A**
18 **COMMUNICATION SERVICE** to the appropriate public safety agency or
19 other provider of emergency services that has an available
20 emergency service unit located closest to the request for
21 emergency service for dispatch of an emergency service unit.

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

27 (EE) ~~(bb)~~ "Service supplier" means a person providing a

1 ~~telephone service or a CMRS~~ **COMMUNICATION SERVICE** to a service
2 user in this state.

3 **(FF)** ~~(ee)~~ "Service user" means an ~~exchange access facility~~
4 ~~or CMRS service customer of a service supplier within a 9-1-1~~
5 ~~system~~ **A PERSON RECEIVING A COMMUNICATION SERVICE.**

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

10 **(GG)** "STATE 9-1-1 CHARGE" MEANS THE CHARGE PROVIDED FOR
11 UNDER SECTIONS 401A AND 401C.

12 **(HH)** ~~(ee)~~ "Tentative 9-1-1 service plan" means a plan
13 prepared by 1 or more counties for implementing a 9-1-1 system in
14 a specified 9-1-1 service district.

15 **(II)** ~~(ff)~~ "Transfer method" means that a PSAP transfers the
16 9-1-1 call directly to the appropriate public safety agency or
17 other provider of emergency service that has an available
18 emergency service unit located closest to the request for
19 emergency service for dispatch of an emergency service unit.

20 **(JJ)** ~~(gg)~~ "Universal emergency number service" or "9-1-1
21 service" means public ~~telephone~~ **COMMUNICATION** service that
22 provides service users with the ability to reach a public safety
23 answering point by dialing the digits "9-1-1".

24 **(KK)** ~~(hh)~~ "Universal emergency number service system" or "9-
25 1-1 system" means a system for providing 9-1-1 service under this
26 act.

27 **(ll)** ~~(ii)~~ "Wireless emergency service order" means the order

1 of the federal communications commission, FCC docket No. 94-102,
2 adopted June 12, 1996 with an effective date of October 1, 1996.

3 Sec. 201. ~~(1) Except as provided in sections 407 to 412, a~~
4 ~~universal~~ **AN** emergency number ~~9-1-1~~ service system shall not be
5 implemented ~~pursuant to this act unless a tariff exists for each~~
6 ~~service supplier designated by the final 9-1-1 service plan to~~
7 ~~provide 9-1-1 service in the universal emergency number system~~ **IN**
8 **THIS STATE EXCEPT AS PROVIDED UNDER THIS ACT.**

9 (2) **ONE OR MORE COUNTIES MAY CREATE AN EMERGENCY 9-1-1**
10 **SERVICE SYSTEM UNDER THIS ACT.**

11 (3) **WITH THE APPROVAL OF THE COUNTY BOARD OF COMMISSIONERS**
12 **IN A COUNTY WITH A POPULATION OF 2,000,000 OR MORE, 4 OR MORE**
13 **CITIES MAY CREATE AN EMERGENCY 9-1-1 SERVICE UNDER THIS ACT.**

14 (4) **EACH SERVICE SUPPLIER IN THIS STATE IS REQUIRED TO**
15 **PROVIDE EACH OF ITS SERVICE USERS ACCESS TO THE 9-1-1 SYSTEM.**
16 **EACH SERVICE SUPPLIER SHALL PROVIDE THE COMMITTEE WITH CONTACT**
17 **INFORMATION TO ALLOW FOR NOTIFICATIONS AS REQUIRED UNDER SECTION**
18 **712.**

19 Sec. 202. A public agency which is excluded from a 9-1-1
20 service district in a 9-1-1 system implemented ~~pursuant to~~ **UNDER**
21 this act, but which is operating an existing emergency telephone
22 **9-1-1** service at the time the 9-1-1 system is implemented, shall
23 permit any technical modifications to its existing system which
24 are necessary for compatibility with the 9-1-1 system. Any cost
25 of the service supplier associated with such modifications shall
26 ~~not be the responsibility of the excluded public agency but shall~~
27 ~~be included as part of the costs~~ **BE** collected from service users

1 in the 9-1-1 service district. ~~pursuant to section 401.~~

2 Sec. 203. The digits 9-1-1 shall be the primary emergency
3 ~~telephone-9-1-1~~ number within every 9-1-1 system established
4 pursuant to this act. A public safety agency whose services are
5 available through a 9-1-1 system implemented ~~pursuant to~~ **UNDER**
6 this act may maintain a separate secondary backup number for
7 emergencies, and shall maintain a separate number for
8 nonemergency ~~telephone calls~~ **CONTACTS**.

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

14 (2) A 9-1-1 system shall process all 9-1-1 calls originating
15 from telephones within an exchange any part of which is within
16 the emergency ~~telephone-9-1-1~~ district served by the system. This
17 requirement does not apply to any part of an exchange not located
18 within the county or counties that established the 9-1-1 system
19 if that part has been included in an implemented 9-1-1 system for
20 the county within which that part is located.

21 (3) A 9-1-1 system may provide for transmittal of requests
22 for other emergency services, such as poison control, suicide
23 prevention, and civil defense. Conferencing capability with
24 counseling, aid to persons with disabilities, and other services
25 as considered necessary for emergency response determination may
26 be provided by the 9-1-1 system.

27 Sec. 301. (1) The board of commissioners of a county may

1 establish an emergency ~~telephone 9-1-1~~ district within all or
2 part of the county and may cause 9-1-1 service to be implemented
3 within the emergency ~~telephone 9-1-1~~ district under this act.

4 (2) The board of commissioners of a county all or part of
5 which is operating an existing emergency telephone service ~~may~~
6 **SHALL** modify the existing emergency telephone service or may
7 alter the scope or method of financing of 9-1-1 service within
8 all or part of the county by establishing an emergency ~~telephone~~
9 **9-1-1** district and causing 9-1-1 service to be implemented within
10 the emergency ~~telephone 9-1-1~~ district under this act.

11 (3) The board of commissioners of a county may create an
12 emergency ~~telephone 9-1-1~~ district board and delegate certain
13 powers to the board.

14 ~~—— (4) If the board of commissioners of a county has created~~
15 ~~multiple emergency telephone districts before March 2, 1994, the~~
16 ~~emergency telephone districts created shall receive all~~
17 ~~operational funds collected by the service supplier of the~~
18 ~~district and operate the systems as provided by this act.~~

19 Sec. 302. Two or more county boards of commissioners may
20 jointly establish an emergency ~~telephone 9-1-1~~ district within
21 all or part of the counties and may cause 9-1-1 service to be
22 implemented within ~~such~~ **THE** emergency ~~telephone 9-1-1~~ district
23 ~~pursuant to~~ **UNDER** this act. If 2 or more county boards of
24 commissioners wish to jointly establish an emergency ~~telephone 9-~~
25 **1-1** district ~~pursuant to~~ **UNDER** this act, then all actions
26 required or permitted to be taken by a county or its officials
27 ~~pursuant to~~ **UNDER** this act shall be taken by each county or the

1 officials of each county, and all notices required or permitted
2 to be given to a county or its officials ~~pursuant to~~ **UNDER** this
3 act shall be given to each county or the officials of each
4 county.

5 Sec. 303. (1) To establish an emergency ~~telephone~~ **9-1-1**
6 district and to cause 9-1-1 service to be implemented within that
7 emergency ~~telephone~~ **9-1-1** district, the board of commissioners of
8 a county shall first adopt a tentative 9-1-1 service plan by
9 resolution.

10 (2) A tentative 9-1-1 service plan shall comply with chapter
11 II and shall address at a minimum all of the following:

12 (a) Technical considerations of the service supplier,
13 including but not limited to, system equipment for facilities to
14 be used in providing emergency ~~telephone~~ **9-1-1** service.

15 (b) Operational considerations, including but not limited
16 to, the designation of PSAPs and secondary PSAPs, the manner in
17 which 9-1-1 calls will be processed, the dispatch functions to be
18 performed, plans for documenting closest public safety service
19 unit dispatching requirements, the dispatch of Michigan state
20 police personnel, and identifying information systems to be
21 utilized.

22 (c) Managerial considerations including the organizational
23 form and agreements that would control technical, operational,
24 and fiscal aspects of the emergency ~~telephone~~ **9-1-1** service.

25 (d) Fiscal considerations including projected nonrecurring
26 and recurring costs with a financial plan for implementing and
27 operating the system.

1 (3) The tentative 9-1-1 service plan shall require each
2 public agency operating a PSAP under the 9-1-1 system to pay
3 directly for all installation and recurring charges for terminal
4 equipment, including customer premises equipment, associated with
5 the public agency's PSAP, and may require each public agency
6 operating a PSAP under the 9-1-1 system to pay directly to the
7 service supplier all installation and recurring charges for all
8 9-1-1 exchange and tie lines associated with the public agency's
9 PSAP.

10 Sec. 306. (1) Unless a public agency files with the county
11 clerk a notice of exclusion from 9-1-1 service district ~~pursuant~~
12 ~~to~~ **UNDER** this section within 45 days after receipt of a copy of
13 the resolution and a copy of the tentative 9-1-1 service plan
14 adopted ~~pursuant to~~ **UNDER** section 303, the entire jurisdiction of
15 the public agency or, if less than the entire jurisdiction of the
16 public agency is included within the 9-1-1 service district of
17 the tentative 9-1-1 service plan, then ~~such~~ **THE** portion of the
18 jurisdiction of the public agency included within the 9-1-1
19 service district of the tentative 9-1-1 service plan shall be
20 included within the 9-1-1 district of the final 9-1-1 service
21 plan. A public agency may exclude less than the entire portion of
22 its jurisdiction included in the 9-1-1 service district of the
23 tentative 9-1-1 service plan. Each public agency, all or part of
24 which is included within the 9-1-1 service district of the final
25 9-1-1 service plan, shall assist the particular county in the
26 preparation of the final 9-1-1 service plan.

27 (2) If the entire jurisdiction of a public agency is to be

1 excluded from the 9-1-1 service district ~~pursuant to~~ **UNDER**
 2 subsection (1), then the notice of exclusion from 9-1-1 service
 3 district shall be in substantially the following form:

4 NOTICE OF EXCLUSION
 5 FROM 9-1-1 SERVICE DISTRICT
 6

7 Pursuant to section 306 of the emergency ~~telephone~~ **9-1-1**
 8 service enabling act, the _____ of
 9 _____ hereby notifies the board of commis-
 10 sioners of the county of _____ that the
 11 _____ of _____ is excluded from
 12 the 9-1-1 service district established by the tentative 9-1-1 service
 13 plan adopted by the board of commissioners on _____,
 14 19 ____.

15 _____
 16 (Clerk)

17 (Acknowledgment)

18 (3) If less than the entire jurisdiction of a public agency
 19 is to be excluded from the 9-1-1 service district pursuant to
 20 subsection (1), then the notice of exclusion from 9-1-1 service
 21 district shall be in substantially the following form:

22 NOTICE OF EXCLUSION
 23 FROM 9-1-1 SERVICE DISTRICT
 24

25 Pursuant to section 306 of the emergency ~~telephone~~ **9-1-1**
 26 service enabling act, the _____ of
 27 _____ hereby notifies the board of commis-
 28 sioners of the county of _____ that the portion of the

_____ of _____ described on the
 attached map is excluded from the 9-1-1 service district established
 by the tentative 9-1-1 service plan adopted by the board of commis-
 sioners on _____, 19 ____.

 (Clerk)

(Acknowledgement)

(4) A notice of exclusion from 9-1-1 service district shall
 be signed by the clerk of the public agency or, if the public
 agency has no clerk, by any other appropriate official of the
 public agency.

Sec. 307. (1) Any public safety agency designated in the
 tentative 9-1-1 service plan to function as a PSAP or secondary
 PSAP shall be so designated under the final 9-1-1 service plan if
 the public safety agency files with the county clerk a notice of
 intent to function as a PSAP or secondary PSAP within 45 days
 after the public agency which the public safety agency has been
 designated to serve by the tentative 9-1-1 service plan receives
 a copy of the resolution and the tentative 9-1-1 service plan
 adopted ~~pursuant to~~ **UNDER** section 303. The notice of intent to
 function as a PSAP or secondary PSAP shall be in substantially
 the following form:

NOTICE OF INTENT TO FUNCTION
 AS A PSAP OR SECONDARY PSAP

Pursuant to section 307 of the emergency ~~telephone 9-1-1~~
 service enabling act, _____ shall

1 function as a (check one) _____ PSAP
 2 _____ Secondary PSAP within the 9-1-1 service district
 3 of the tentative 9-1-1 service plan adopted by resolution
 4 of the board of commissioners for the county of
 5 _____, on _____, 19_____.
 6 _____
 7 (Acknowledgment)

8 (2) If a public safety agency designated as a PSAP or
 9 secondary PSAP in the tentative 9-1-1 service plan fails to file
 10 a notice of intent to function as a PSAP or secondary PSAP within
 11 the time period specified in subsection (1), the public safety
 12 agency shall not be designated as a PSAP or secondary PSAP in the
 13 final 9-1-1 service plan.

14 Sec. 308. The clerk of each county which has adopted a
 15 tentative 9-1-1 service plan ~~pursuant to~~ **UNDER** section 303 shall
 16 give notice by publication of the hearing on the final 9-1-1
 17 service plan to be held ~~pursuant to~~ **UNDER** section 309. The notice
 18 shall be published twice in a newspaper of general circulation
 19 within the county, the first publication of the notice occurring
 20 at least 30 days prior to the date of the hearing. The notice
 21 shall state all of the following:

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

23 (b) A description of the boundaries of the 9-1-1 service
 24 district of the final 9-1-1 service plan as determined at the
 25 expiration of the time for filing a notice of exclusion from 9-1-
 26 1 service district ~~pursuant to~~ **UNDER** section 306.

27 (c) That if the board of commissioners of the county, after

1 a hearing, adopts the final 9-1-1 service plan ~~pursuant to~~ **UNDER**
2 this act, ~~an emergency telephone technical~~ **THE STATE 9-1-1** charge
3 and, if ~~an emergency telephone operational~~ **A COUNTY 9-1-1** charge
4 has been approved, ~~an emergency telephone operational charge~~
5 shall be collected on a uniform basis from all service users
6 within the 9-1-1 service district.

7 Sec. 312. (1) ~~After~~ **EXCEPT AS OTHERWISE PROVIDED UNDER**
8 **SUBSECTION (2), AFTER** a final 9-1-1 service plan has been adopted
9 ~~pursuant to~~ **UNDER** section 310, a county may amend the final 9-1-1
10 service plan only by complying with the procedures described in
11 sections 301 to 310. Upon adoption of an amended final 9-1-1
12 service plan by the county board of commissioners, the county
13 shall forward the amended final 9-1-1 service plan to the service
14 supplier or suppliers designated to provide 9-1-1 service within
15 the 9-1-1 service district as amended. Upon receipt of the
16 amended final 9-1-1 service plan, each designated service
17 supplier shall implement as soon as feasible the amendments to
18 the final 9-1-1 service plan in the 9-1-1 service district as
19 amended.

20 (2) **THE COUNTY BOARD OF COMMISSIONERS MAY BY RESOLUTION MAKE**
21 **MINOR AMENDMENTS TO THE FINAL 9-1-1 SERVICE PLAN FOR ANY OF THE**
22 **FOLLOWING:**

23 (A) **CHANGES IN PSAP PREMISES EQUIPMENT, INCLUDING, BUT NOT**
24 **LIMITED TO, COMPUTER-AIDED DISPATCH SYSTEMS, CALL PROCESSING**
25 **EQUIPMENT, AND COMPUTER MAPPING.**

26 (B) **CHANGES INVOLVING THE PARTICIPATING PUBLIC SAFETY**
27 **AGENCIES WITHIN A 9-1-1 SERVICE DISTRICT.**

1 (C) CHANGES IN THE 9-1-1 CHARGES COLLECTED BY THE COUNTY
2 SUBJECT TO THE LIMITS UNDER THIS ACT.

3 Sec. 319. A public agency that plans to establish a 9-1-1
4 system without using the financing method provided ~~by section 401~~
5 **UNDER THIS ACT** shall do all of the following:

6 (a) Provide public notice of its intent to enter into a
7 contract for 9-1-1 services. The public notice shall be provided
8 in the same manner as required under section 308.

9 (b) Provide public notice of its intent to enter into a
10 contract for 9-1-1 services to the county board of commissioners
11 of the county within which the public agency is located and to
12 all other public agencies that share wire centers with the
13 contracting public agency. The public notice shall be provided in
14 the same manner as required under section 308.

15 (c) Conduct a public hearing in the same manner as required
16 under section 309.

17 Sec. 320. (1) The county shall create an emergency ~~telephone~~
18 **9-1-1** district board if a county creates a consolidated dispatch
19 within an emergency ~~telephone~~ **9-1-1** district after March 2, 1994.

20 (2) The membership of the board and the board's powers and
21 duties shall be determined by the county board of commissioners.
22 ~~However, the~~ **THE** membership of the board shall include a
23 representative of the county sheriff or his or her designated
24 representative, a representative of the Michigan state police
25 designated by the director of the Michigan state police, and a
26 firefighter. If the emergency ~~telephone~~ **9-1-1** district consists
27 of more than 1 county, the sheriff representative shall be

1 appointed by the president of the Michigan sheriffs' association.

2 (3) A county or other public agency may make appropriations
3 to the emergency ~~telephone~~ **9-1-1** district board.

4 (4) A public agency may contract with the emergency
5 ~~telephone~~ **9-1-1** district board, and persons who are both members
6 of the board and of the governing body of the public agency may
7 vote both on the board and the body if approved by the contract.

8 (5) The basis under which a consolidated dispatch meets the
9 requirement for being a dispatch under section 102(c) shall
10 determine the system to be used in dispatching participating
11 service units.

12 Sec. 401. (1) An emergency ~~telephone~~ **9-1-1** district board, a
13 9-1-1 service district as defined in section 102 and created
14 under section 201b, or a county on behalf of a 9-1-1 service area
15 created by the county may enter into an agreement with a public
16 agency that does either of the following:

17 (a) Grants a specific pledge or assignment of a lien on or a
18 security interest in any money received by a 9-1-1 service
19 district for the benefit of qualified obligations.

20 (b) Provides for payment directly to the public entity
21 issuing qualified obligations of a portion of the emergency
22 telephone operational charge **OR THE STATE 9-1-1 CHARGE** sufficient
23 to pay when due principal of and interest on qualified
24 obligations.

25 (2) A pledge, assignment, lien, or security interest for the
26 benefit of qualified obligations is valid and binding from the
27 time the qualified obligations are issued without a physical

1 delivery or further act. A pledge, assignment, lien, or security
2 interest is valid and binding and has priority over any other
3 claim against the emergency ~~telephone~~ 9-1-1 district board, the
4 9-1-1 service district, or any other person with or without
5 notice of the pledge, assignment, lien, or security interest.

6 (3) Except as provided in sections 407 to 412, each service
7 supplier within a 9-1-1 service district shall provide a billing
8 and collection service for an emergency telephone technical
9 charge and emergency telephone operational charge from all
10 service users of the service supplier within the geographical
11 boundaries of the emergency telephone or 9-1-1 service district.
12 The billing and collection of the emergency telephone operational
13 charge and that portion of the technical charge used for billing
14 cost shall begin as soon as feasible after the final 9-1-1
15 service plan has been approved. The billing and collection of the
16 emergency telephone technical charge not already collected for
17 billing costs shall begin as soon as feasible after installation
18 and operation of the 9-1-1 system. The emergency telephone
19 technical charge and emergency telephone operational charge shall
20 be uniform per each exchange access facility within the 9-1-1
21 service district. The portion of the emergency telephone
22 technical charge that represents start-up costs, nonrecurring
23 billing, installation, service, and equipment charges of the
24 service supplier, including the costs of updating equipment
25 necessary for conversion to 9-1-1 service, shall be amortized at
26 the prime rate plus 1% over a period not to exceed 10 years and
27 shall be billed and collected from all service users only until

1 those amounts are fully recouped by the service supplier. The
2 prime rate to be used for amortization shall be set before the
3 first assessment of nonrecurring charges and remain at that rate
4 for 5 years, at which time a new rate may be set for the
5 remaining amortization period. Recurring costs and charges
6 included in the emergency telephone technical charge and
7 emergency telephone operational charge shall continue to be
8 billed to the service user.

9 (4) Except as provided in sections 407 to 412 and subject to
10 the limitation provided by this section, the amount of the
11 emergency telephone technical charge and emergency telephone
12 operational charge to be billed to the service user shall be
13 computed by dividing the total emergency telephone technical
14 charge and emergency telephone operational charge by the number
15 of exchange access facilities within the 9-1-1 service district.

16 (5) Except as provided in subsection (7) and sections 407 to
17 412, the amount of emergency telephone technical charge payable
18 monthly by a service user for recurring costs and charges shall
19 not exceed 2% of the lesser of \$20.00 or the highest monthly rate
20 charged by the service supplier for primary basic local exchange
21 service under section 304 of the Michigan telecommunications act,
22 1991 PA 179, MCL 484.2304, within the 9-1-1 service district. The
23 amount of emergency telephone technical charge payable monthly by
24 a service user for nonrecurring costs and charges shall not
25 exceed 5% of the lesser of \$20.00 or the highest monthly rate
26 charged by the service supplier for primary basic local exchange
27 service under section 304 of the Michigan telecommunications act,

1 1991 PA 179, MCL 484.2304, within the 9-1-1 service district.
2 With the approval of the county board of commissioners, a county
3 may assess an amount for recurring emergency telephone
4 operational costs and charges that shall not exceed 4% of the
5 lesser of \$20.00 or the highest monthly rate charged by the
6 service supplier for primary basic local exchange service under
7 section 304 of the Michigan telecommunications act, 1991 PA 179,
8 MCL 484.2304, within the geographical boundaries of the assessing
9 county. The percentage to be set for the emergency telephone
10 operational charge shall be established by the county board of
11 commissioners under section 312. A change to the percentage set
12 for the emergency telephone operational charge may be made only
13 by the county board of commissioners. The difference, if any,
14 between the amount of the emergency telephone technical charge
15 computed under subsection (4) and the maximum permitted under
16 this section shall be paid by the county from funds available to
17 the county or through cooperative arrangements with public
18 agencies within the 9-1-1 service district.

19 (6) Except as provided in sections 407 to 412, the emergency
20 telephone technical charge and emergency telephone operational
21 charge shall be collected in accordance with the regular billings
22 of the service supplier. The amount collected for emergency
23 telephone operational charge shall be paid by the service
24 supplier to the county that authorized the collection. The
25 emergency telephone technical charge and emergency telephone
26 operational charge payable by service users pursuant to this act
27 shall be added to and shall be stated separately in the billings

1 to service users.

2 (7) Except as provided in sections 407 to 412, for a 9-1-1
3 service district created or enhanced after June 27, 1991, the
4 amount of emergency telephone technical charge payable monthly by
5 a service user for recurring costs and charges shall not exceed
6 4% of the lesser of \$20.00 or the highest monthly rate charged by
7 the service supplier for primary basic local exchange service
8 under section 304 of the Michigan telecommunications act, 1991 PA
9 179, MCL 484.2304, within the 9-1-1 service district.

10 (8) Except as provided in sections 407 to 412, a county may,
11 with the approval of the voters in the county, assess up to 16%
12 of the lesser of \$20.00 or the highest monthly rate charged by
13 the service supplier for primary basic local exchange service
14 under section 304 of the Michigan telecommunications act, 1991 PA
15 179, MCL 484.2304, within the geographical boundaries of the
16 assessing county or assess a millage or combination of the 2 to
17 cover emergency telephone operational costs. In a ballot question
18 under this subsection, the board of commissioners shall
19 specifically identify how the collected money is to be
20 distributed. An affirmative vote on a ballot question under this
21 subsection shall be considered an amendment to the 9-1-1 service
22 plan pursuant to section 312. Not more than 1 ballot question
23 under this subsection may be submitted to the voters within any
24 12-month period. An assessment approved under this subsection
25 shall be for a period not greater than 5 years.

26 (9) The total emergency telephone operational charge as
27 prescribed in subsections (5) and (8) shall not exceed 20% of the

1 lesser of \$20.00 or the highest monthly flat rate charged for
2 primary basic service by a service supplier for a 1-party access
3 line.

4 (10) Except as provided in sections 407 to 412, if the
5 voters approve the charge to be assessed on the service user's
6 telephone bill on a ballot question under subsection (8), the
7 service provider's bill shall state the following:

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

13 (11) Except as provided in sections 407 to 412, an annual
14 accounting shall be made of the emergency telephone operational
15 charge approved under this act in the same manner as the annual
16 accounting required by section 405.

17 (12) Except as otherwise provided in subsection (13), or as
18 provided in sections 407 to 412, the emergency telephone
19 operational charge collected under this section shall be
20 distributed by the county or the counties to the primary PSAPs by
21 1 of the following methods:

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

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

26 (c) If distribution is not provided in the plan or by
27 agreement, then according to the distribution of access lines

1 within the primary PSAPs.

2 (13) Except as provided in sections 407 to 412, if a county
3 had multiple emergency telephone districts before the effective
4 date of the amendatory act that added this subsection, then the
5 emergency telephone operational charge collected under this
6 section shall be distributed in proportion to the amount of
7 access lines within the primary PSAPs.

8 ~~(14) Except as provided in sections 407 to 412, this section~~
9 ~~shall~~ **THIS ACT DOES** not preclude the distribution of funding to
10 secondary PSAPs if the distribution is determined by the primary
11 PSAPs within the emergency telephone ~~9-1-1~~ district to be the
12 most effective method for dispatching of fire or emergency
13 medical services and the distribution is approved within the
14 final 9-1-1 service plan.

15 (15) Notwithstanding any other provision of this act, the
16 emergency telephone technical charge and the emergency telephone
17 operational charge shall not be levied or collected after
18 December 31, 2007. If all or a portion of the emergency telephone
19 operational charge has been pledged as security for the payment
20 of qualified obligations, the emergency telephone operational
21 charge shall be levied and collected only to the extent required
22 to pay the qualified obligations or satisfy the pledge.

23 (16) **SUBSECTIONS (3) THROUGH (13) DO NOT APPLY AFTER**
24 **DECEMBER 31, 2007.**

25 **SEC. 401A. (1) EXCEPT AS OTHERWISE PROVIDED UNDER SECTION**
26 **401C, EACH SERVICE SUPPLIER WITHIN A 9-1-1 SERVICE DISTRICT SHALL**
27 **PROVIDE A BILLING AND COLLECTION SERVICE FOR A STATE 9-1-1 CHARGE**

1 FROM ALL SERVICE USERS OF THE SERVICE SUPPLIER WITHIN THE
2 GEOGRAPHICAL BOUNDARIES OF THE 9-1-1 SERVICE DISTRICT OR AS
3 OTHERWISE PROVIDED BY THIS SECTION. THE BILLING AND COLLECTION OF
4 THE STATE 9-1-1 CHARGE SHALL BEGIN JANUARY 1, 2008. THE STATE 9-
5 1-1 CHARGE SHALL BE UNIFORM PER EACH SERVICE USER WITHIN THE 9-1-
6 1 SERVICE DISTRICT.

7 (2) THE AMOUNT OF THE STATE 9-1-1 CHARGE PAYABLE MONTHLY BY
8 A SERVICE USER SHALL BE ESTABLISHED AS PROVIDED UNDER SUBSECTION
9 (4). THE AMOUNT OF THE STATE 9-1-1 CHARGE SHALL NOT BE MORE THAN
10 30 CENTS OR LESS THAN 20 CENTS. THE CHARGE MAY BE ADJUSTED
11 ANNUALLY AS PROVIDED UNDER SUBSECTION (4).

12 (3) THE STATE 9-1-1 CHARGE SHALL BE COLLECTED IN ACCORDANCE
13 WITH THE REGULAR BILLINGS OF THE SERVICE SUPPLIER. EXCEPT AS
14 OTHERWISE PROVIDED UNDER THIS ACT, THE AMOUNT COLLECTED FOR THE
15 STATE 9-1-1 CHARGE SHALL BE PAID QUARTERLY BY THE SERVICE
16 SUPPLIER TO THE STATE TREASURER AND DEPOSITED IN THE EMERGENCY 9-
17 1-1 FUND CREATED UNDER SECTION 407. THE CHARGE ALLOWED UNDER THIS
18 SECTION MAY BE LISTED SEPARATELY ON THE CUSTOMER'S BILL OR
19 PAYMENT RECEIPT.

20 (4) THE INITIAL STATE 9-1-1 CHARGE SHALL BE 25 CENTS AND
21 SHALL BE EFFECTIVE JANUARY 1, 2008. THE STATE 9-1-1 CHARGE SHALL
22 REFLECT THE ACTUAL COSTS OF OPERATING, MAINTAINING, UPGRADING,
23 AND OTHER REASONABLE AND NECESSARY EXPENDITURES FOR THE 9-1-1
24 SYSTEM IN THIS STATE. THE STATE 9-1-1 CHANGE MAY BE REVIEWED AND
25 ADJUSTED AS PROVIDED UNDER SUBSECTION (5).

26 (5) THE STATE TREASURER SHALL REVIEW AND MAY ADJUST THE
27 STATE 9-1-1 CHARGE UNDER THIS SECTION TO BE EFFECTIVE ON JANUARY

1 1, 2009 AND JANUARY 1, 2010. ANY ADJUSTMENT TO THE CHARGE BY THE
2 STATE TREASURER SHALL BE MADE NO LATER THAN OCTOBER 1 OF THE
3 PRECEDING YEAR. ANY ADJUSTMENTS TO THE STATE 9-1-1 CHARGE AFTER
4 DECEMBER 31, 2010 SHALL BE MADE BY THE LEGISLATURE.

5 (6) AN EMERGENCY 9-1-1 TECHNICAL CHARGE MAY BE COLLECTED IN
6 ACCORDANCE WITH THE REGULAR BILLINGS OF THE SERVICE SUPPLIER. THE
7 AMOUNT OF THE EMERGENCY 9-1-1 TECHNICAL CHARGE PAYABLE BY THE
8 SERVICE USER SHALL BE ADDED TO AND STATED SEPARATELY ON THE
9 USER'S BILLING.

10 (7) IF A SERVICE USER HAS MULTIPLE ACCESS POINTS, THE STATE
11 9-1-1 CHARGE WILL BE IMPOSED SEPARATELY ON EACH OF THE FIRST 10
12 ACCESS POINTS AND THEN 1 CHARGE FOR EACH 10 ACCESS POINTS
13 THEREAFTER.

14 (8) THIS SECTION TAKES EFFECT JANUARY 1, 2008.

15 SEC. 401B. (1) IN ADDITION TO THE CHARGE ALLOWED UNDER
16 SECTION 401A, A COUNTY BOARD OF COMMISSIONERS MAY, BY RESOLUTION,
17 MILLAGE, WITH THE APPROVAL OF THE VOTERS IN THE COUNTY, OR ANY
18 COMBINATION THEREOF, ASSESS A COUNTY 9-1-1 CHARGE. THE BOARD OF
19 COMMISSIONERS SHALL STATE IN THE RESOLUTION, BALLOT QUESTION, OR
20 MILLAGE REQUEST THE ANTICIPATED AMOUNT TO BE GENERATED.

21 (2) THE CHARGE ASSESSED UNDER THIS SECTION SHALL NOT EXCEED
22 THE AMOUNT NECESSARY TO IMPLEMENT, MAINTAIN, AND OPERATE THE 9-1-
23 1 SYSTEM IN THE COUNTY.

24 (3) IF THE VOTERS APPROVE THE CHARGE TO BE ASSESSED ON THE
25 SERVICE USER'S MONTHLY BILL ON A BALLOT QUESTION UNDER THIS
26 SECTION, THE SERVICE PROVIDER'S BILL SHALL STATE THE FOLLOWING:

27 "THIS AMOUNT IS FOR YOUR 9-1-1 SERVICE WHICH HAS BEEN

1 APPROVED BY THE VOTERS ON (DATE OF VOTER APPROVAL). THIS IS NOT A
2 CHARGE ASSESSED BY YOUR SERVICE SUPPLIER. IF YOU HAVE QUESTIONS
3 CONCERNING YOUR 9-1-1 SERVICE, YOU MAY CALL (INCLUDE APPROPRIATE
4 TELEPHONE NUMBER)."

5 (4) AN ANNUAL ACCOUNTING SHALL BE MADE OF THE CHARGE
6 APPROVED UNDER THIS SECTION IN THE SAME MANNER AS THE ANNUAL
7 ACCOUNTING REQUIRED BY SECTION 405.

8 (5) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (9), THE
9 COUNTY 9-1-1 CHARGE COLLECTED UNDER THIS SECTION SHALL BE PAID
10 QUARTERLY DIRECTLY TO THE COUNTY AND DISTRIBUTED BY THE COUNTY TO
11 THE PRIMARY PSAPS BY 1 OF THE FOLLOWING METHODS:

12 (A) AS PROVIDED IN THE FINAL 9-1-1 SERVICE PLAN.

13 (B) IF DISTRIBUTION IS NOT PROVIDED FOR IN THE PLAN, THEN
14 ACCORDING TO ANY AGREEMENT FOR DISTRIBUTION BETWEEN THE COUNTY
15 AND PUBLIC AGENCIES.

16 (C) IF DISTRIBUTION IS NOT PROVIDED IN THE PLAN OR BY
17 AGREEMENT, THEN ACCORDING TO POPULATION WITHIN THE EMERGENCY 9-1-
18 1 DISTRICT.

19 (6) THE COUNTY MAY ADJUST THE COUNTY 9-1-1 CHARGE ANNUALLY
20 TO BE EFFECTIVE JULY 1. THE COUNTY SHALL NOTIFY THE COMMITTEE NO
21 LATER THAN APRIL 1 OF EACH YEAR OF ANY CHANGE IN THE COUNTY 9-1-1
22 CHARGE UNDER THIS SECTION.

23 (7) IF A COUNTY HAS MULTIPLE EMERGENCY RESPONSE DISTRICTS,
24 THE COUNTY 9-1-1 CHARGE COLLECTED UNDER THIS SECTION SHALL BE
25 DISTRIBUTED UNDER SUBSECTION (5) IN PROPORTION TO THE POPULATION
26 WITHIN THE EMERGENCY 9-1-1 DISTRICT.

27 (8) THIS SECTION SHALL NOT PRECLUDE THE DISTRIBUTION OF

1 FUNDING TO SECONDARY PSAPS IF THE DISTRIBUTION IS DETERMINED BY
2 THE PRIMARY PSAPS WITHIN THE EMERGENCY 9-1-1 DISTRICT TO BE THE
3 MOST EFFECTIVE METHOD FOR DISPATCHING OF FIRE OR EMERGENCY
4 MEDICAL SERVICES AND THE DISTRIBUTION IS APPROVED WITHIN THE
5 FINAL 9-1-1 SERVICE PLAN.

6 (9) THE SERVICE SUPPLIER MAY RETAIN 2% OF THE APPROVED
7 COUNTY 9-1-1 CHARGE TO COVER THE SUPPLIER'S COSTS FOR BILLINGS
8 AND COLLECTIONS UNDER THIS SECTION.

9 (10) THE CHARGE ALLOWED UNDER THIS SECTION MAY BE LISTED
10 SEPARATELY ON THE CUSTOMER'S BILL.

11 (11) INFORMATION SUBMITTED BY A SERVICE SUPPLIER TO A COUNTY
12 UNDER THIS SECTION IS EXEMPT FROM THE FREEDOM OF INFORMATION ACT,
13 1976 PA 442, MCL 15.221 TO 15.231, AND SHALL NOT BE RELEASED BY
14 THE COUNTY WITHOUT THE CONSENT OF THE SERVICE SUPPLIER.

15 (12) IF A SERVICE USER HAS MULTIPLE ACCESS POINTS, THE
16 COUNTY 9-1-1 CHARGE WILL BE IMPOSED SEPARATELY ON EACH OF THE
17 FIRST 10 ACCESS POINTS AND THEN 1 CHARGE FOR EACH 10 ACCESS
18 POINTS THEREAFTER.

19 (13) NO LATER THAN OCTOBER 1, 2007, A COUNTY BOARD OF
20 COMMISSIONERS MAY PASS A RESOLUTION ESTABLISHING THE INITIAL
21 COUNTY 9-1-1 CHARGE TO BE EFFECTIVE ON JANUARY 1, 2008. THE
22 COUNTY 9-1-1 CHARGE MAY BE REVIEWED AND ADJUSTED AS PROVIDED
23 UNDER SUBSECTION (1).

24 (14) THIS SECTION TAKES EFFECT JANUARY 1, 2008.

25 SEC. 401C. (1) EACH CMRS SUPPLIER OR RESELLER SHALL COLLECT
26 AN EMERGENCY 9-1-1 CHARGE FROM EACH OF ITS PREPAID CUSTOMERS. THE
27 AMOUNT OF THE EMERGENCY 9-1-1 CHARGE SHALL BE ESTABLISHED

1 ANNUALLY BY THE COMMITTEE BY COMBINING THE AMOUNTS DETERMINED
2 UNDER SUBSECTIONS (2) AND (3).

3 (2) THE CMRS SUPPLIER OR RESELLER SHALL HAVE A 1-TIME OPTION
4 OF SELECTING 1 OF THE FOLLOWING METHODS OF DETERMINING THE
5 PORTION OF THE EMERGENCY 9-1-1 CHARGE THAT REPRESENTS THE STATE
6 9-1-1 CHARGE AMOUNT:

7 (A) BY DIVIDING THE TOTAL EARNED PREPAID REVENUE RECEIVED BY
8 THE CMRS SUPPLIER OR RESELLER WITHIN THE MONTHLY 9-1-1 REPORTING
9 PERIOD BY \$50.00 AND THEN MULTIPLYING THAT NUMBER BY THE AMOUNT
10 OF THE STATE 9-1-1 CHARGE AS ESTABLISHED UNDER SECTION 401A.

11 (B) BY MULTIPLYING THE AMOUNT OF THE STATE 9-1-1 CHARGE AS
12 ESTABLISHED UNDER SECTION 401A FOR EACH ACTIVE PREPAID ACCOUNT OF
13 THE CMRS SUPPLIER OR RESELLER.

14 (3) THE COMMITTEE SHALL REVIEW AND ANNUALLY ESTABLISH THE
15 PORTION OF THE EMERGENCY 9-1-1 CHARGE ASSESSED UNDER THIS SECTION
16 THAT REPRESENTS THE COUNTY 9-1-1 CHARGE AMOUNT. THE CHARGE SHALL
17 BE BASED ON THE WEIGHTED AVERAGE OF ALL COUNTY 9-1-1 CHARGES
18 IMPOSED STATEWIDE.

19 (4) THE CMRS SHALL DEPOSIT THE AMOUNT COLLECTED UNDER THIS
20 SECTION INTO THE EMERGENCY 9-1-1 FUND TO BE DISTRIBUTED AS
21 PROVIDED UNDER SECTION 408.

22 (5) THIS SECTION TAKES EFFECT JANUARY 1, 2008.

23 (6) AS USED IN THIS SECTION:

24 (A) "ACTIVE PREPAID ACCOUNTS" MEANS A CUSTOMER WHO HAS
25 RECHARGED OR REPLENISHED HIS OR HER ACCOUNT AT LEAST ONCE DURING
26 THE BILLING PERIOD OR CALENDAR MONTH OR HAS A SUFFICIENT POSITIVE
27 BALANCE AT THE END OF EACH MONTH EQUAL TO OR GREATER THAN THE

1 AMOUNT OF THE EMERGENCY 9-1-1 CHARGE ESTABLISHED UNDER THIS
2 SECTION.

3 (B) "CMRS RESELLER" MEANS A PROVIDER WHO PURCHASES
4 TELECOMMUNICATION SERVICES FROM ANOTHER TELECOMMUNICATION SERVICE
5 PROVIDER AND THEN RESELLS, USES A COMPONENT PART OF, OR
6 INTEGRATES THE PURCHASED SERVICES INTO A MOBILE TELECOMMUNICATION
7 SERVICE.

8 (C) "EARNED PREPAID REVENUE" MEANS ALL NEW REVENUE THAT HAS
9 BEEN GENERATED FROM PREPAID SERVICE ACCOUNTS SINCE THE CLOSE OF
10 THE LAST BILLING PERIOD OR CALENDAR MONTH.

11 (D) "PREPAID CUSTOMER" MEANS A CMRS SUBSCRIBER WHO PAYS IN
12 FULL PROSPECTIVELY FOR THE SERVICE AND HAS 1 OF THE FOLLOWING:

13 (i) A MICHIGAN TELEPHONE NUMBER OR A MICHIGAN IDENTIFICATION
14 NUMBER FOR THE SERVICE.

15 (ii) A SERVICE FOR EXCLUSIVE USE IN AN AUTOMOTIVE VEHICLE AND
16 WHOSE PLACE OF PRIMARY USE IS WITHIN THIS STATE. AS USED IN THIS
17 SUB-SUBPARAGRAPH, "PLACE OF PRIMARY USE" MEANS THAT PHRASE AS
18 DEFINED UNDER 4 USC 124.

19 Enacting section 1. This amendatory act does not take effect
20 unless Senate Bill No. 411

21 of the 94th Legislature is enacted into law.