

CHAPTER 888

H.B. No. 1424

AN ACT

relating to provision of 9-1-1 emergency telephone service in unincorporated areas of certain counties.

*Be it enacted by the Legislature of the State of Texas:*

SECTION 1. DEFINITION. In this Act, "9-1-1 service" means a telecommunications service that provides the user of the public telephone system the ability to reach, by dialing the digits 9-1-1, a communications facility having the responsibility to receive emergency calls and, as appropriate, to dispatch public safety services or to extend, transfer, or relay 9-1-1 calls to appropriate public safety agencies.

SECTION 2. APPLICATION. This Act applies only to a county with a population of more than 1.5 million, according to the most recent federal decennial census, in which a communication district has not been created under the 9-1-1 Emergency Number Act (Article 1432c, Vernon's Texas Civil Statutes).

SECTION 3. IMPLEMENTATION OF 9-1-1 SYSTEM. (a) A county to which this Act applies may implement a system for providing 9-1-1 service in the unincorporated areas of the county and may impose a service fee on local exchange telephone service customers in the area served. The commissioners court shall set the fee at an amount reasonable to cover the costs of providing the 9-1-1 service.

(b) Except as provided by Subsection (d) of this section, the telecommunications carrier providing the local exchange service shall collect the fees and deliver them to the commissioners court not later than the 60th day after the last day of the month during which the fees were collected.

(c) Each customer on which a fee is imposed under this section is liable for the fee in the same manner the customer is liable for charges for services provided by the local exchange service provider, and the local exchange service provider shall collect the fees in the same manner it collects those charges for service. A fee under this Act shall be stated separately in the customer's bill. Fees collected under this section may be used only for planning, development, and provision of 9-1-1 service.

(d) A local exchange service provider collecting fees under this section may retain as an administrative fee an amount equal to two percent of the total amount collected.

(e) The commissioners court may require at its own expense an audit of a local exchange service provider collecting fees or surcharges under this section. The audit must be limited to collection and remittance of money collected under this section.

SECTION 4. EMERGENCY. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Passed by the House on May 8, 1987, by the following vote: Yeas 134, Nays 0, 1 present, not voting. Passed by the Senate on May 23, 1987, by the following vote: Yeas 30, Nays 0.

Approved June 19, 1987.

Effective June 19, 1987.