

Act No. 284
Public Acts of 2010
Approved by the Governor
December 16, 2010
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December 16, 2010
EFFECTIVE DATE: December 16, 2010

**STATE OF MICHIGAN
95TH LEGISLATURE
REGULAR SESSION OF 2010**

Introduced by Rep. Schuitmaker

ENROLLED HOUSE BILL No. 5622

AN ACT to amend 1986 PA 32, entitled "An act to provide for the establishment of emergency 9-1-1 districts; to provide for the installation, operation, modification, and maintenance of universal emergency 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, service suppliers, and others; to create an emergency 9-1-1 service committee; to provide remedies and penalties; and to repeal acts and parts of acts," by amending section 408 (MCL 484.1408), as amended by 2010 PA 206.

The People of the State of Michigan enact:

Sec. 408. (1) Beginning January 1, 2008, a CMRS supplier or reseller shall, until July 1, 2008, for each CMRS connection that has a billing address in this state, continue to collect the service charge that the CMRS supplier or reseller was authorized to collect by this section prior to December 21, 2007. Except as otherwise provided under this act, starting July 1, 2008, a service supplier shall bill and collect a state 9-1-1 service charge per month as determined under section 401a. The service supplier shall list the state 9-1-1 service charge authorized under this act as a separate line item on each bill. The service charge shall be listed on the bill as the "state 9-1-1 charge".

(2) Each service supplier may retain 2% of the state 9-1-1 charge collected under this act to cover the supplier's costs for billing and collection.

(3) Except as otherwise provided under subsection (2), the money collected as the state 9-1-1 charge under subsection (1) shall be deposited in the emergency 9-1-1 fund created in section 407 no later than 30 days after the end of the quarter in which the state 9-1-1 charge was collected.

(4) Except as otherwise provided under section 401a(5), all money collected and deposited in the emergency 9-1-1 fund created in section 407 shall be distributed as follows:

(a) 82.5% shall be disbursed to each county that has a final 9-1-1 plan in place. Forty percent of the 82.5% shall be distributed quarterly on an equal basis to each county, and 60% of the 82.5% shall be distributed quarterly based on a population per capita basis. Money received by a county under this subdivision shall only be used for 9-1-1 services as allowed under this act. Money expended under this subdivision for a purpose considered unnecessary or unreasonable by the committee or the auditor general shall be repaid to the fund.

(b) 7.75% shall be available to reimburse local exchange providers for the costs related to wireless emergency service. Any cost reimbursement allowed under this subdivision shall not include a cost that is not related to wireless emergency service. A local exchange provider may submit an invoice to the commission for reimbursement from the emergency 9-1-1 fund for allowed costs. Within 45 days after the date an invoice is submitted to the commission, the commission shall approve, either in whole or in part, or deny the invoice.

(c) 6.0% shall be available to PSAPs for training personnel assigned to 9-1-1 centers. A written request for money from the fund shall be made by a public safety agency or county to the committee. The committee shall semiannually authorize distribution of money from the fund to eligible public safety agencies or counties. A public safety agency or county that receives money under this subdivision shall create, maintain, and make available to the committee upon request a detailed record of expenditures relating to the preparation, administration, and carrying out of activities of

its 9-1-1 training program. Money expended by an eligible public safety agency or county for a purpose considered unnecessary or unreasonable by the committee or the auditor general shall be repaid to the fund. The commission shall consult with and consider the recommendations of the committee in the promulgation of rules under section 413 establishing training standards for 9-1-1 system personnel. Money shall be disbursed on a biannual basis to an eligible public safety agency or county for training of PSAP personnel through courses certified by the committee only for either of the following purposes:

- (i) To provide basic 9-1-1 operations training.
- (ii) To provide in-service training to employees engaged in 9-1-1 service.

(d) 1.88% shall be credited to the department of state police to operate a regional dispatch center that receives and dispatches 9-1-1 calls, and 1.87% shall be credited to the department of state police for costs to administer this act and to maintain the office of the state 9-1-1 coordinator.

(5) For fiscal year 2010-2011 only, an amount not to exceed \$1,700,000.00 is distributed to the department of state police for an integrated IP-based 9-1-1 mapping system in this state. The money distributed under this subsection is for the restricted purpose of matching funds for the state's award of a grant under the grant program established pursuant to the federal ensuring needed help arrives near callers employing 911 act of 2004, 47 USC 942, to be used solely for the acquisition and deployment of a state integrated IP-based 9-1-1 mapping system. All costs associated with the state integrated IP-based 9-1-1 mapping system including, but not limited to, its construction, administration, and maintenance shall only be paid from money distributed under this subsection and any federal grant money.

(6) For fiscal year 2009-2010 only, an amount not to exceed \$5,000,000.00 shall be distributed to the department of state police to fund a portion of the department's costs for the Michigan public safety communications system. For fiscal year 2010-2011 only, an amount not to exceed \$7,000,000.00 shall be distributed to the department of state police to fund a portion of the department's costs for the Michigan public safety communications system.

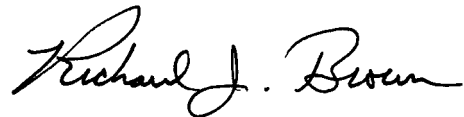
(7) Money received by a county under subsection (4)(a) shall be distributed by the county to the primary PSAPs geographically located within the 9-1-1 service district by 1 of the following methods:

- (a) As provided in the final 9-1-1 service plan.
- (b) If distribution is not provided for in the 9-1-1 service plan under subdivision (a), then according to any agreement for distribution between a county and a public agency.
- (c) If distribution is not provided for in the 9-1-1 service plan under subdivision (a) or by agreement between the county and public agency under subdivision (b), then according to the population within the geographic area for which the PSAP serves as primary PSAP.

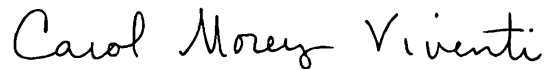
(d) If a county has multiple emergency 9-1-1 districts, money for that county shall be distributed as provided in the emergency 9-1-1 districts' final 9-1-1 service plans.

(8) The commission shall consult with and consider recommendations of the committee in the promulgation of rules under section 413 establishing the standards for the receipt and expenditure of 9-1-1 funds under this act. Receipt of 9-1-1 funds under this act is dependent on compliance with the standards established under this subsection.

This act is ordered to take immediate effect.



Clerk of the House of Representatives



Secretary of the Senate

Approved

Governor