

Legislative Analysis



EMERGENCY NOTIFICATION SYSTEM: "REVERSE 9-1-1"

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Senate Bill 1267 (Substitute H-1)
Sponsor: Sen. Jud Gilbert, II
Senate Committee: Technology and Energy
House Committee: Energy and Technology

Complete to 12-8-04

A SUMMARY OF SENATE BILL 1267 AS REPORTED FROM COMMITTEE

The bill would amend the Emergency Telephone Service Enabling Act (MCL 484.1317 et al.) to allow a 9-1-1 service district to implement an emergency notification system under which emergency service responders could contact service users (telephone customers) within a specific geographic area in cases of imminent danger or emergency that could affect the user's health, safety, or welfare. (This has been referred to as a "reverse 9-1-1.")

Upon request, a telephone service supplier (a telephone company) would have to provide each 9-1-1 service district within the supplier's service area with the telephone number and address data for each service user (customer) within the district. A service supplier could charge a reasonable rate to provide the data. A 9-1-1 service district could not request the data more than once per month. The data could be used only for the purposes provided in the bill. The bill would not apply to a wireless carrier. A violation of the bill's provisions would be a misdemeanor. (Under the Michigan Penal Code, a misdemeanor for which no punishment is specified in statute may be punished by imprisonment for up to 90 days and/or a maximum fine of \$500.)

Currently, a 9-1-1 system agency, its agents, or its employees may not use or disclose a caller's name, address, or telephone number information for any purpose except to identify the caller's telephone location or identity, unless the information is used or disclosed pursuant to a court order. Under the bill, personal information could be disclosed to and used by a member of a public safety agency, if necessary to respond to events or situations that were dangerous or threatened individual or public safety.

Disputes resulting from implementation of the program regarding rights and duties would be heard as contested cases before the Public Service Commission as provided in the Administrative Procedures Act.

HOUSE COMMITTEE ACTION:

The House Committee on Energy and Technology adopted two amendments to the Senate-passed version and reported out a substitute bill. One amendment was a technical reference to federal law; the other incorporates into the bill the existing Section 602 of the Emergency Telephone Service Enabling Act, which addresses dispute resolutions.

FISCAL IMPACT:

The bill would have an indeterminate fiscal impact on state and local government. It would allow service suppliers to charge reasonable rates for providing data to 9-1-1 service districts; however, it is unknown whether service suppliers would charge rates or what the amount of those rates may be. Also indeterminate are the costs and revenues from potential misdemeanors resulting from violations.

POSITIONS:

The following indicated support for the bill to the House Committee on Energy and Technology on 12-8-04: The Michigan State Police; the Michigan Communication Directors Association; the Telecommunications Association of Michigan; the Michigan Association of Counties; SBC; MCI; and Verizon.

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.