

WEST VIRGINIA LEGISLATURE

2019 REGULAR SESSION

Introduced

House Bill 2542

FISCAL
NOTE

BY DELEGATES HOWELL, PACK, HAMRICK, HANSHAW
(MR. SPEAKER), SUMMERS, WORRELL, DEAN, FAST,
HOTT, HOLLEN AND STORCH

[Introduced January 21, 2019; Referred
to the Committee on Political Subdivisions then
Government Organization.]

1 A BILL to amend and reenact §24-6-5 of the Code of West Virginia, 1931, as amended, relating
2 to permitting directors of county emergency phone systems to obtain mobile-phone
3 emergency lines and enter into service provider contracts; and, establishing payment of
4 emergency mobile-phone contracts.

Be it enacted by the Legislature of West Virginia:

ARTICLE 6. LOCAL EMERGENCY TELEPHONE SYSTEM.

§24-6-5. Enhanced emergency telephone system requirements.

1 (a) An enhanced emergency telephone system, at a minimum, shall provide that:

2 (1) All the territory in the county, including every municipal corporation in the county, which
3 is served by telephone company central office equipment that will permit such a system to be
4 established shall be included in the system: *Provided*, That if a portion of the county or a portion
5 of a municipal corporation within the county is already being served by an enhanced emergency
6 telephone system, that portion of the county or municipality may be excluded from the county
7 enhanced emergency telephone system;

8 (2) Every emergency service provider that provides emergency service within the territory
9 of a county participate in the system;

10 (3) Each county answering point be operated constantly;

11 (4) Each emergency service provider participating in the system maintain a telephone
12 number in addition to the one provided in the system; and

13 (5) If the county answering point personnel reasonably determine that a call is not an
14 emergency, the personnel provide the caller with the number of the appropriate emergency
15 service provider.

16 (b) To the extent possible, enhanced emergency telephone systems shall be centralized.

17 (c) In developing an enhanced emergency telephone system, a county commission or the
18 West Virginia State Police shall seek the advice of both the telephone companies providing local
19 exchange service within the county and the local emergency providers.

20 (d) As a condition of employment, a person employed as the director of an emergency
21 dispatch center who dispatches emergency calls or supervises the dispatching of emergency call
22 takers is subject to an investigation of their character and background. This investigation shall
23 include, at a minimum, a criminal background check conducted by the State Police at its expense.
24 A felony conviction shall preclude a person from holding any of these positions.

25 (e) As a condition of continued employment, persons employed to dispatch emergency
26 calls in county emergency dispatch centers shall successfully complete:

27 (1) A 40-hour nationally recognized training course for dispatchers within one year of the
28 date of their employment; and, (2) An additional nationally recognized emergency medical
29 dispatch course or an emergency medical dispatch course approved by the Office of Emergency
30 Medical Services not later than July 1, 2013, or if employed subsequent to July 1, 2013, within
31 one year of the date of employment.

32 (f) On or before July 1, 2013, the director of each county emergency dispatch center shall
33 develop policies and procedures to establish a protocol for dispatching emergency medical calls
34 implementing a nationally recognized emergency medical dispatch program or an emergency
35 medical dispatch program approved by the Office of Emergency Medical Services: *Provided*, That
36 a county's emergency dispatch center, which utilizes a one-button transfer system, may continue
37 to use this system, if the county s emergency dispatch center establishes policies and procedures
38 which require the agency to whom the call is transferred to remain on the call until a first responder
39 arrives.

40 (g) Each county or municipality shall appoint for each answering point an enhanced
41 emergency telephone system advisory board consisting of at least six members to monitor the
42 operation of the system. The board shall be appointed by the county or municipality and shall
43 include at least one member from affected:

44 (1) Fire service providers;

45 (2) Law-enforcement providers;

46 (3) Emergency medical providers;

47 (4) Emergency services providers participating in the system; and,

48 (5) Counties or municipalities.

49 The director of the county or municipal enhanced telephone system shall serve as an ex
50 officio member of the advisory board.

51 (h) The initial advisory board shall serve staggered terms of one, two and three years. The
52 initial terms of these appointees shall commence on July 1, 1994. All future appointments shall
53 be for terms of three years, except that an appointment to fill a vacancy shall be for the unexpired
54 term. All members shall serve without compensation. The board shall adopt such policies, rules
55 and regulations as are necessary for its own guidance. The board shall meet monthly, or quarterly.
56 The board may make recommendations to the county or municipality concerning the operation of
57 the system.

58 (i) Nothing herein contained shall be construed to prohibit or discourage in any way the
59 establishment of multijurisdictional or regional systems, or multijurisdictional or regional
60 agreements for the establishment of enhanced emergency telephone systems, and any system
61 established pursuant to this article may include the territory of more than one public agency, or
62 may include only a portion of the territory of a public agency.

63 (j) The director of the county or municipal enhanced telephone system shall have the
64 authority to enter into mobile-phone contracts with service providers for the purpose of obtaining
65 a mobile-phone emergency line for the county or municipality. The director must solicit bids for
66 mobile-phone contracts from mobile-phone service providers in this state. The director may award
67 the contract to the lowest responsible bidder, or designate in writing, why any other bidder other
68 than the lowest responsible bidder was awarded a contract. The director may obtain as many
69 lines as reasonably needed for emergencies where landlines are unavailable to serve the county
70 or municipality. The director and phone service provider should collaborate to obtain the following:

71 (1) The emergency mobile-phone number may be the county prefix and end in 0911, as

72 feasible for the phone service provider;

73 (2) The emergency mobile-phone should permit roll over service to allow multiple callers
74 to dial into the amount of lines purchased; and

75 (3) The mobile-phone service provider should provide the lowest possible cost.

76 Nothing in this subsection (j) shall be construed to prohibit or discourage in any way the
77 establishment of multijurisdictional or regional systems, or multijurisdictional or regional
78 agreements for the establishment of emergency mobile-telephone systems. This section shall be
79 effective July 1, 2019.

80 (k) Emergency mobile-phone contracts entered into pursuant to subsection (j) of this
81 section may be paid from funds received by the Public Service Commission relating to 911 fees
82 remitted to the county, or by other county funds. A report of the funds expended for subsection (j)
83 of this section shall be presented to the Interim Committee on Government Operations no later
84 than November 2020 to ensure the fiscal responsibility and efficacy of this section.

NOTE: The purpose of this bill is to amend §24-6-5 by permitting the director of a county or municipality emergency telephone system to negotiate contracts for emergency mobile-phones in the county in the event landlines are unavailable.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.