

# **WEST VIRGINIA LEGISLATURE**

**2020 REGULAR SESSION**

**Enrolled**

**Committee Substitute**

**for**

**Senate Bill 649**

SENATORS MAYNARD AND CLINE, *original sponsors*

[Passed March 2, 2020; in effect 90 days from

passage]



1 AN ACT 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; establishing payment of  
4 emergency mobile phone contracts; and requiring a report.

*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

29 (2) An additional nationally recognized emergency medical dispatch course or an  
30 emergency medical dispatch course approved by the Office of Emergency Medical Services not  
31 later than July 1, 2013, or if employed subsequent to July 1, 2013, within one year of the date of  
32 employment.

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

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

45 (1) Fire service providers;

- 46 (2) Law-enforcement providers;
- 47 (3) Emergency medical providers;
- 48 (4) Emergency services providers participating in the system; and
- 49 (5) Counties or municipalities.

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

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

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

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

72           (1) The emergency mobile-phone number may be the county prefix and end in 0911, as  
73 feasible for the phone service provider;

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

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

77           Nothing in this subsection shall be construed to prohibit or discourage in any way the  
78 establishment of multijurisdictional or regional systems, or multijurisdictional or regional  
79 agreements for the establishment of emergency mobile-telephone systems. This section shall be  
80 effective July 1, 2020.

81           (k) Emergency mobile-phone contracts entered into pursuant to subsection (j) of this  
82 section may be paid from funds received by the Public Service Commission relating to 911 fees  
83 remitted to the county or by other county funds. A report of the funds expended for subsection (j)  
84 of this section shall be presented to the interim Joint Committee on Government Organization no  
85 later than November 30, 2020, to ensure the fiscal responsibility and efficacy of this section.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

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*Chairman, Senate Committee*

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*Chairman, House Committee*

Originated in the Senate.

In effect 90 days from passage.

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*Clerk of the Senate*

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*Clerk of the House of Delegates*

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*President of the Senate*

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*Speaker of the House of Delegates*

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The within ..... this the.....  
Day of ....., 2020.

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*Governor*