

2025 Regular Session – SB 2835CS
The Mississippi Emergency Communications Authority Act
Working Summary

Purpose / Goals: A statewide Next Generation 911 (NG911) system or network represents a comprehensive, IP-based emergency communications infrastructure facilitating the seamless exchange of voice, text, data, and video between 911 callers, Public Safety Answering Points (PSAPs), and first responders. This system replaces the traditional circuit-switched 911 infrastructure with a more flexible and robust system capable of handling multimedia communications and providing enhanced location information.

This bill mandates that all collected funds are properly accounted for and allocated to the appropriate Emergency Communications District (ECD). The Emergency Communications Service Charge will be revised to a flat fee of \$2.00 per phone line, cell phone, VoIP, or prepaid wireless service. Service Providers are required to remit all fees to the Department of Revenue (DOR). This change aims to create a more sustainable funding model for emergency services at the county level and designates funds specifically for NG911 migration.

The Authority will be established within the Mississippi Emergency Management Agency (MEMA), led by a director and supported by a 13-member Advisory Board composed of subject matter experts from primarily local jurisdictions. The Authority is tasked with developing a Statewide NG911 Plan as well as establishing standards and specifications for Emergency Communications District (ECD) NG911 Implementation Plans. Geographic Information System (GIS) data will be utilized to delineate all ECDs, and the Authority will devise a distribution formula to ensure accurate and equitable dispersal of Service Charge Fees.

No more than 7% of the total Service Charge Fee will be allocated for the administration of the Authority and the implementation of the State NG911 Plan. The remaining fee will be distributed to ECDs across the state. At least 30% of the funds received by the ECD shall be used in a manner consistent with the approved ECD NG911 Plan and shall be directed towards expenditures that are capital in nature. The remaining funds are restricted to providing emergency services and normal ECD operations. All ECDs must adopt an ECD NG911 Plan by December 31, 2030.

Section 1: Establishes the Mississippi Emergency Communications Authority Act

Section 2 : Definitions

Section 3 : Role/Purpose/Duties of the Mississippi Emergency Communications Authority & Board Authority

- The Authority shall work in cooperation with the state and local government to plan for and implement a statewide public safety communications network.
- The Authority is an entity within MEMA and the director of the Authority serves at the will and pleasure of the Executive Director of MEMA. The director shall be responsible for ensuring compliance with applicable state and federal programs and law.
- Management of the Authority shall be vested in the director with technical guidance and recommendations from the advisory board. 13-person board – Staggered board terms.
 - The Commissioner of Public Safety, or his or her designee;
 - One (1) member appointed by the Governor selected from two (2) nominees submitted by the GIS Coordinating Council;

- One (1) member appointed by the Governor selected from two (2) nominees submitted by the Mississippi 911 Coordinators Association;
 - One (1) member appointed by the Governor selected from two (2) nominees submitted by the Mississippi Chapter of the Association of Public Safety Communications Officials;
 - One (1) member appointed by the Governor selected from two (2) nominees submitted by the Mississippi Chapter of the National Emergency Number Association;
 - One (1) member appointed by the Lieutenant Governor who shall be an elected member of a county board of supervisors selected from two (2) nominees submitted by the Mississippi Association of Supervisors;
 - One (1) member appointed by the Lieutenant Governor who may be a county manager, county administrator or finance officer from a county that operates or contracts for the operation of a public safety answering point selected from two (2) nominees submitted by the Mississippi Association of Supervisors;
 - One (1) member appointed by the Governor selected from two (2) nominees submitted by Mississippi Emergency Medical Services;
 - One (1) member appointed by the Lieutenant Governor who shall be an elected member of a municipal governing authority, city manager, city administrator, or finance officer from a municipality that operates or contracts for the operation of a public safety answering point selected from two (2) nominees submitted by the Mississippi Municipal League;
 - One (1) member appointed by the Governor who shall be from the telecommunications industry;
 - One (1) member appointed by the Lieutenant Governor who is a sheriff responsible for managing a public safety answering point selected from two (2) nominees submitted by the Mississippi Sheriffs' Association;
 - One (1) police chief appointed by the Governor who is serving a local government selected from two (2) nominees submitted by the Mississippi Association of Chiefs of Police; and
 - One (1) fire chief appointed by the Lieutenant Governor who is serving a local government selected from two (2) nominees submitted by the Mississippi Fire Chiefs Association.
- The purpose of the Authority: to administer, receive, audit, and remit emergency communications service charges for the benefit of local governments to provide emergency services to all Mississippians and to provide a statewide authority and resources for the implementation of a statewide NG911 plan.
- The authority shall administer, receive, and audit emergency communications services charges for the benefit of the State NG911 Plan and ECD's throughout the state.
- The authority shall act as a statewide authority and resource for the development, modification, and implementation of a State NG911 Plan. By March 1, 2026, a defined scope and technical standards and operational requirements for a State NG911 plan. The authority shall be exempt from state procurement timelines and requirements for a three-year period.
- Duties and responsibilities of the Authority:
 - Develop and adopting an annual budget for approval and submission to LBO
 - Apply for, receive, and use federal or state grants
 - Study, evaluate and establish technology standards for the regional and statewide provision of public safety communications network and NG911 systems
 - Identify any changes necessary to accomplish a more effective and efficient emergency communication service across the State; recommend a long-term plan for the most efficient and effective delivery of 911 services in MS
 - Identify any changes necessary in the assessment and collection of emergency communication service charges and provide report to Legislative Services Office of House and Senate.
 - Develop, offer, make recommendations to the MS Board of Emergency Telecommunications Standards and Training and other state agencies
 - Recommend minimum standards for the operation of PSAPs

- Collect data and statistics regarding performance of PSAPs
 - Identify any necessary changes or enhancements to develop and deploy NG911 statewide
 - Investigate and incorporate GIS standards and mapping into the plan
 - Review and act upon any adverse findings noted in audits or financial statements submitted by each EDC.
 - Develop a CMRS Implementation Grant Program for competitive grants for NG911 Implementation consistent with the State NG911 Plan.
- Powers and authority of the authority
 - Require each ECD to submit a plan to implement a NG911 program.
 - Identify and define all ECDs throughout the state by geospatial layer.
 - Make and execute contracts, leases, and all other instruments; acquire by purchase, lease, of real or personal property; apply for and accept and gifts or grants, loan guarantees, loans of funds, property, or financial or other aid; deposit or invest funds.
 - Establish and maintain the Emergency Communications Public Safety Trust Fund, the NG911 CMRS Grant Fund, and the State NG911 Fund.
 - Receive Manage and control the Emergency Communications Public Safety Trust Fund
 - Retain from the Emergency Communications Public Safety Trust Fund an amount not to exceed 7% of the money transferred to the State NG911 Fund for the administration and operations of the authority and implementation/maintenance of the State NG911 Plan.
 - Establish and maintain a distribution formula for The Emergency Communications Public Safety Trust Fund for which the authority will make distributions to all ECDs
 - Retain a third-party auditor to audit service providers to verify the accuracy of each service providers' emergency communications service charge collection.
 - To levy interest charges at the legal rate of interest on any amount due and outstanding from any service provider.
 - Promulgate rules and regs
 - Maintain a registration database of all service providers
 - The Authority may receive federal, state, county or municipal funds to provide additional funding for implementing, deploying, operating and maintaining NG911 programs.
 - Board shall request an annual audit of each emergency communication district (ECD)
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Section 4: Confidential Information

- All information submitted to the Authority or to an independent, third-party auditor shall be retained in confidence. No information submitted shall be subject to subpoena or otherwise released to any person other than the submitted service provider, the Authority and the third-party auditor, without the express permission of the administrator and submitting service provider.

Section 5: AG's office shall provide legal services to authority

Section 6: Emergency Communication Service Charges (Fees)

Type of Fee	Current Monthly Fee	Proposed
Residential Telephone Subscriber Line (landline)	\$1.00	\$2.00

Voice over Internet Protocol subscriber account	\$1.00	\$2.00
Commercial Telephone subscriber line per month for exchange telephone service	\$2.00	\$2.00
CMRS emergency telephone service charge	\$1.00	\$2.00
Prepaid wireless telecommunications service purchased in a retail transaction ¹	\$1.00	\$2.00

- No emergency communications service charge shall be imposed upon more than 200 exchange access facilities or Voice over IP lines per location.
- Each service provider shall act as a collection agent for the emergency communications service charge and shall remit charges collected to DOR no later than 30 days after the end of the calendar month in which charges are collected.
- Each service provider may deduct from the emergency communications service charge .5% for actual cost incurred for collecting, handling and processing.
- Each service provider shall list the emergency communications service charge as a separate entry on each bill.
- Service supplier shall maintain records of collections for at least 2 years.
- Authority shall receive an annual audit of the service supplier's books and records.
- Service supplier has no obligation to take legal action to enforce the collection of charges. Service supplier shall provide a list of the amount uncollected to the Authority annually.
- Each service provider shall register with the Authority and DOR. Each service provider shall provide following information: company name of provider; marketing name of provider; publicly traded name of provider; physical address of company HQ and main office in the State; name/addresses of providers' board of directors/owners.
- Prepaid wireless communication service – the charge shall be collected by the seller from the consumer with respect to each retail transaction; Prepaid wireless emergency service charge is the liability of the consumer and not of the seller or of any service provider; prepaid wireless emergency service charges collected by sellers shall be remitted to DOR
- Amount of emergency communication service charges collected by service providers shall not be considered revenue and shall not be included in the base for measuring any tax, fee, surcharge
- No service provider or seller of prepaid wireless communication service shall be liable for damages to any person resulting from or incurred in connection with accessing or attempting to access emergency services.

Section 7: **Wireless emergency telephone service shall not be used for personal use** and shall be used solely for the use of communications by the public. Penalties for violation of this section.

Section 8: **Dept. of Revenue (DOR) shall pay all remitted emergency communications service charges**

- All of these charges will be collected by DOR
- DOR shall pay all remitted emergency communications service charges over to the Authority within 30 days.
- DOR shall deduct an amount not to exceed 0.5% of collected charges for administration in collecting/remittance of the charges.

Section 9: Establish a distribution formula by which the authority will make disbursements of the emergency communications service charge in the following amounts:

- Of the total funds received by any ECD from the Emergency Communications Public Safety Trust Fund, no less than 30% shall be deposited in the ECD NG911 Implementation Fund and shall be used solely for migration from legacy 911 to NG911. No ECD may access and or expend ECD NG911 Implementation Funds until the authority has approved the ECD's NG911 Plan.
- The remainder of the funds received by an ECD shall be deposited into the ECD Operation Fund and shall be limited to provide Emergency Communication Services, including capital improvements, and for normal operations.

Section 10: Each ECD shall submit a financial and program, audit to the authority board annually.

Section 11: NG911 Plan Implementation Date

- All emergency communications districts must adopt an ECD NG911 Plan no later than December 31, 2030. Any district that fails to adopt a plan by such date may not expend any money in the ECD NG911 Implementation Fund.

FROM AND AFTER SECTION 12 IS ALL CONFORMING LANGUAGE.

Section 12. Section 19-5-301. Statement on 911 service. (MAY NEED TO BE UPDATED.)

Section 13. Section 19-5-305. County may create an ECD and they may partner with another BOS. ECD has the authority to charge nonpublic users for costs directly associated with integration and inclusion into the ECDs system.

Section 14. Section 19-5-307. Conforming language for ECD Boards

Section 15. Section 19-5-315. Conforming for language for combining or modifying ECD districts and how to provided voting rights for counties and providing fair share of fund from partnered municipalities

Section 16. Section 19-5-317. Conforming language for prank calls.

Section 17 & 18. MEMA authority code sections (§ 33-15-7; § 33-15-14) names MEMA as the state NG911 Coordinator.

Sections 19. Repeal Section 19-5-343. Prepaid Wireless

Section 20-30: The following code sections are repealed:

- § 19-5-303
- § 19-5-311
- § 19-5-313: provides for emergency telephone services charges
- § 19-5-331: defines certain terms as used in the provisions provided for enhanced wireless emergency telephone service (E-911)
- § 19-5-333: CMRS – creation of board; powers & duties
- § 19-5-335: provides for collection of services charges b the CMRS board and requires registration of CMRS providers.
- § 19-5-337: provides for confidentiality of proprietary information submitted to the CMRS board
- § 19-5-339: provides for the requirement to provide enhanced 911 service

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Senator DeLano

- § 19-5-341: makes it an offense and provides criminal penalties for using wireless emergency telephone service for personal use
- § 19-5-343: provides for the collection and remittance of prepaid wireless E911 charges.

Section 30: Effective Date

- This act shall take effect and be in force from and after July 1, 2025. WITH A REVERSE REPEALER ADDED.