

## Outline of Public Act 98-0634

PA 98-0634 made a number of important changes for 9-1-1 service in Illinois, including providing additional wireless surcharge revenue to 9-1-1 systems throughout the state, establishing a mechanism for payment of outstanding invoices for wireless carriers, requiring new uniform financial reports from 9-1-1 systems and creating a Statewide 9-1-1 Administrator within the department of State Police. The law also expanded the 9-1-1 Services Advisory Board's membership from 11 to 18 and requires the Board to work with the ICC to submit another report to the General Assembly by April 1, 2015.

The following outline provides a summary of the major changes in the law:

### Illinois State Police

1. Division of Statewide 9-1-1 Administrator within the Dept. of State Police beginning July 1, 2015. From Public Act 98-0634:

*Beginning on July 1, 2015, there shall be the Division of the Statewide 9-1-1 Administrator within the Department of State Police to develop, implement and oversee a uniform statewide 9-1-1 system for all areas of the State outside of municipalities having a population of more than 500,000.*

The language in this section of the Act has prompted questions from local governments and 9-1-1 systems in the state. Questions have arisen as to whether the intent of the statute is to have the Department of State Police oversee a single 9-1-1 system or oversee a statewide network that all the 9-1-1 systems in the state would use.

2. Director of ISP or designee to serve on 9-1-1 Services Advisory Board

### ICC

1. New distribution of 9-1-1 wireless surcharge (73 cents total):
  - All ETSB's share of WSEF increases from 57.25 cents to 65 cents
  - County ETSB's in counties with a population less than 100,000 receive equal share of 2 cents of WSEF
  - ICC continues to receive 1 cent from WSEF
  - WCRF decreases from 14.75 cents to 5 cents; silos eliminated

The ICC is prepared to process the disbursement for 9-1-1 systems and wireless carriers under the new distribution formula. The law calls for the change in the distribution formula to be applied to the surcharge collected and remitted on or after July 1, 2014. Based on timeframe for collecting, remitting and distributing the surcharge, 9-1-1 systems will begin to receive payments under the new formula in late October/early November.

**2. Increased penalties for wireless carriers for not reporting the number of subscribers or making payments on time**

The ICC is prepared to assess the new penalties if necessary.

**3. All 9-1-1 systems are required to provide financial reports to the ICC:**

- a. ICC shall create uniform account procedures (includes Chicago)
  - i. "with such modification as may be required to give effect to statutory provisions; applicable only to municipalities with a population in excess of 500,000"
  - ii. may establish by emergency rule
- b. By October 1, 2014 all ETSB's report to the ICC audited financial statements showing total revenue and expenses for each of its last two fiscal years, in a form and manner prescribed by the Manager of Accounting
  - i. detailed summary of revenue from all sources
  - ii. operating expenses and cash balances
  - iii. other relevant information
  - iv. must be posted on ICC website

ICC Staff developed a draft uniform financial report and submitted the draft form to all 9-1-1 systems for review and input. Staff reviewed comments from all 9-1-1 systems and held discussions with a number of systems based on their input. A revised draft was sent to 9-1-1 system administrators serving on the 9-1-1 Services Advisory Board and to the INENA/APCC legislative committee for another review.

The final version of the report was sent to all systems on July 30. Staff held webinar training session for 9-1-1 systems on August 7 and 4 to review the forms and instructions and answer questions.

- c. By January 31, 2016 and each year thereafter: all 9-1-1 systems must report to the ICC audited financial statements showing total revenue and expenses, in a form and manner prescribed by the Manager of Accounting:
  - i. detailed form using USOA
  - ii. must be posted on the ICC website (self-reporting process)
  - iii. may want to include summary of this information in the annual ICC 9-1-1 status report
  - iv. may set USOA and report format and process by emergency rule

ICC Staff is working on the Uniform System of Accounts and financial report form that systems will submit annually starting in 2016.

- d. ICC required to withhold funds from systems that do not report; after 12 months, funds are forfeited and distributed to other 9-1-1 systems

ICC Staff has drafted emergency rules to establish the process for notifying 9-1-1 systems of the failure to file a report or for filing a non-compliant report and to withhold monthly grants pursuant to PA 98-0634. The rules have been sent to 9-1-1 systems for review and comment.

### 9-1-1 Services Advisory Board

- 1. Determine the role and duties of the 9-1-1 Statewide Administrator
  - a. to develop, implement, and oversee a “uniform statewide 9-1-1 system for all areas of the state” outside of Chicago
- 2. Appointments
  - a. Increases Board from 11 members to 18 members
  - b. Legislative Leaders – 1 appointment each (4 new members)
  - c. Governor
    - i. 11 representatives from same categories as original 9-1-1 SAB continue to serve
    - ii. 1 representative – Director of State Police or designee (new)
    - iii. 1 representative from Illinois Association of Chiefs of Police (new)
    - iv. 1 representative from Illinois Sheriff’s Association (new)

All appointments have been made. (Contact information for all Board members is attached)

3. Duties – The Board shall work with the ICC to submit a plan to the General Assembly by April 1, 2015 that includes at a minimum:
  - a. Plan for a statewide shared 9-1-1 network (“Statewide Next Generation 9-1-1”) for all areas of Illinois, outside of Chicago governed by the Statewide 9-1-1 Administrator
  - b. The plan shall include, but not be limited to the following:
    - i. Structure of the statewide network
    - ii. Plan and timeline for transition to the statewide network
    - iii. Consolidation of 9-1-1 systems and services
    - iv. Plan for implementation of the statewide NG 9-1-1
    - v. List of costs for which wireless surcharge should not be used
    - vi. Costs necessary for 9-1-1 systems to adequately function
    - vii. Adequate amount of the wireless surcharge to support sufficient 9-1-1 services throughout the state
    - viii. Plan and timeline for payment of past due wireless carrier reimbursements
    - ix. Proper division of responsibilities between Statewide 9-1-1 Administrator and ICC for oversight of funding distribution, technological standards, system plan authorizations, modifications, and consolidations going forward

#### City of Chicago

1. May set new rates for 9-1-1 surcharge
  - a. City may increase wireline surcharge from \$2.50 to \$3.90 until July 1, 2015
  - b. City may increase wireless surcharge from \$2.50 to \$3.90 until July 1, 2015
  - c. City may increase the prepaid wireless surcharge from 7% to 9% until July 1, 2015

The Chicago City Council has approved the new surcharge rates