

50 ILCS 750/1

Sec. 1.

"Dispatchable location" means the street address of a 9-1-1 caller, community name, and additional information, such as room number, floor number, or similar information, necessary to identify the location of the 9-1-1 caller.

"Diversion" means the obligation or expenditure of a 911 surcharge revenues received under this Act for a purpose or function other than those set forth in Section 35 of this Act, as well as any distribution of 911 surcharge to a political subdivision that obligates or expends such fees for a purpose or function other than those set forth in Section 35 of this Act.

"NG9-1-1 costs" means those recurring costs that directly relate to the Next Generation 9-1-1 service as determined by the Statewide 9-1-1 Administrator with the advice of the Statewide 9-1-1 Advisory Board, which may include, but need not be limited to, costs for NENA i3 Core Components (Border Control Function (BCF), Emergency Call Routing Function (ECRF), Location Validation Function (LVF), Emergency Services Routing Proxy (ESRP), Policy Store/Policy Routing Functions (PSPRF), and Location Information Servers (LIS)), Statewide ESInet, software external to the PSAP (data collection, identity management, aggregation, and GIS functionality), and gateways (legacy 9-1-1 tandems or gateways or both). "NG9-1-1 costs" shall not include those that exceed the State's contract pricing for any Next Generation 9-1-1 services. (Clarification needed for those having an ESInet that is not AT&T and why is this in the definition section?)

50 ILCS 750/11.5

Sec. 11.5. Aggregator and originating service provider responsibilities.

- (a) Each aggregator, and the originating service providers whose 9-1-1 calls are being aggregated by the aggregator, shall comply with their respective requirements in 83 Ill. Adm. Code 725.410.
- (b) Beginning July 1, 2021, and every July 1<sup>st</sup> thereafter, (Is this available now? More information is needed.) each aggregator that is operating within the State must email-submit the Office of the Statewide 9-1-1 Administrator to provide the following information that supports the implementation of and the migration to the Statewide NG9-1-1 system to the Office of the Statewide 9-1-1 Administrator on a form prescribed for this purpose:
  - (1) A company 9-1-1 contact, address, email, and phone number.
  - (2) A list of originating service providers that the aggregator transports 9-1-1 calls for and then to the appropriate 9-1-1 system provider. New or current aggregators must update the required information within 30 days of implementing any changes in information required by this subsection.

The requisite form shall be made available on the Illinois State Police's website. Failure to provide the requisite information, is a violation of this Section and constitutes a business offense for which a fine of \$2,500 per occurrence may be imposed by the Administrator and

**Commented [ISP LO1]:** Dispatchable Location – for further discussion with the Board.

NENA Definition: A location determined by a telecommunicator that is derived from an ALI Response (in E9-1-1) or derived from a PIDF-LO (in NG9-1-1) represented as a civic location or geodetic location and sometimes modified after communication with a caller that contains enough detail for accurately dispatching emergency responders to a location.

FCC Fourth Report & Order Definition: A location delivered to the PSAP with a 9-1-1 call that consists of the street address of the calling party, plus additional information such as suite, apartment or similar information necessary to adequately identify the location of the calling party.

**Commented [ISP LO2]:**

Some providers are having trouble as they're migrating to NG, the aggregators are not being as responsive as we would like them to be. We have been trying to address with the ICC, who suggested we may want more enforcement in the way this language is written.

shall be deposited into the Emergency Telephone System Fund and disbursed pursuant to Section 30 of this Act. (How do the violations get reported?)

50 ILCS 750/14

Sec. 14.

The General Assembly declares that a major purpose of this Act is to ensure that 9-1-1 systems have redundant methods of dispatch for: (1) each public safety agency within its jurisdiction, herein known as participating agencies; and (2) 9-1-1 systems whose jurisdictional boundaries are contiguous, herein known as adjacent 9-1-1 systems, when an emergency request for service is received for a public safety agency that needs to be dispatched by the adjacent 9-1-1 system. Another primary purpose of this Section is to eliminate instances in which a public safety agency refuses, once dispatched, to render aid outside of the jurisdictional boundaries of the public safety agency. Therefore, in implementing a 9-1-1 system under this Act, all 9-1-1 authorities shall enter into call handling and aid outside jurisdictional boundaries agreements with each participating agency and adjacent 9-1-1 system. The agreements shall provide a primary and secondary means of dispatch. It must also provide that, once an emergency unit is dispatched in response to a request through the system, such unit shall render its services to the requesting party without regard to whether the unit is operating outside its normal jurisdictional boundaries. The call handling and aid outside jurisdictional boundaries agreements shall be incorporated into the plan filed pursuant to Section 11 of this Act and Certified notification certification of the continuation of ~~call handling and aid outside jurisdictional boundaries~~ these agreements shall be made among the involved parties on an annual basis as a part of the financial reports filed (every five (5) years annually pursuant to Section 40 of this Act. The Illinois State Police may adopt rules for the administration of this Section-

Recommended language below for Sec. 14.

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each PSAP within its system along with the agencies for which that PSAP dispatches. Illinois State Police shall maintain an Authorized 9-1-1 System Transfer List which shall be distributed to each 9-1-1 system at a minimum of each quarter. The Authorized 9-1-1 System Transfer List shall be used when an emergency request for service is received for a public safety agency that needs to be dispatched by the adjacent an alternate 9-1-1 system. The Illinois State Police may adopt rules for the administration of this Section.

(Source: P.A. 102-9, eff. 6-3-21.)

50 ILCS 750/15

**Sec. 15.**

Copies of the annual ~~financial reports, which include the required certified notification of continuing agreement required by Section 14 shall be filed with the Attorney General and the Administrator. All such agreements~~ certification of continuation shall be so filed prior to the 31st day of January ~~as required by Section 40 of this Act. At the Administrator's request,~~ The Attorney General shall commence judicial proceedings to enforce compliance with this Section and Section 14, where a public agency or public safety agency has failed to timely enter into such agreement or file copies thereof. (Can the submission process stay the same instead of changing every year?)

**Commented [ISP LO3]:** The proposed language would remove the requirement to file with the AGO and allows for annual certification on the AFR rather than resubmission where there are no changes.

50 ILCS 750/15.4a

**Sec. 15.4a. Consolidation.**

- (a) By July 1, 2017, and except as otherwise provided in this Section, Emergency Telephone System Boards, Joint Emergency Telephone System Boards, and PSAPs shall be consolidated as follows, subject to subsections (b) and (c) of this Section:
- (1) In any county with a population of at least 250,000 that has a single Emergency Telephone System Board and more than 2 PSAPs, shall reduce the number of PSAPs by at least 50% or to 2 PSAPs, whichever is greater. Nothing in this paragraph shall preclude consolidation resulting in one PSAP in the county.
  - (2) In any county with a population of at least 250,000 that has more than one Emergency Telephone System Board, Joint Emergency Telephone System Board, any 9-1-1 Authority serving a population of less than 25,000 shall be consolidated such that no 9-1-1 Authority in the county serves a population of less than 25,000.
  - (3) In any county with a population of at least 250,000 but less than 1,000,000 that has more than one Emergency Telephone System Board, Joint Emergency Telephone System Board, each 9-1-1 Authority shall reduce the number of PSAPs by at least 50% or to 2 PSAPs, whichever is greater. Nothing in this paragraph shall preclude consolidation of a 9-1-1 Authority into a Joint Emergency Telephone System Board, and nothing in this paragraph shall preclude consolidation resulting in one PSAP in the county.
  - (4) In any county with a population of less than 250,000 that has a single Emergency Telephone System Board and more than 2 PSAPs, the 9-1-1 Authority shall reduce the number of PSAPs

**Commented [ISP LO4]:** For discussion with the Board – should we try to encourage additional consolidation through incentives? If so, what would that look like?

Possible consolidation options are suggested below for further discussion and consideration:

County's Serving a Population < 10,000  
Consolidate/Regionalize within 2 Years from the date of the passage of the ETSA.

County's Serving a Population < 75,000 with 2 or more PSAPs must reduce the # of PSAP's to 1 (< 50,000?) within 2 Years from the date of the passage of the ETSA

County's Serving a Population > 100,000 where additional PSAP's serve a population < 50,000 Consolidate/Regionalize within 2 years of the date of the passage of the ETSA. If consolidated previously complete further consolidation within 3 years.

Municipal/Intergovernmental Systems < 75,000  
Consolidate/Regionalize within 2 Years from the date of passage of the ETSA (< 50,000?)

by at least 50% or to 2 PSAPs, whichever is greater. Nothing in this paragraph shall preclude consolidation resulting in one PSAP in the county.

- (5) In any county with a population of less than 250,000 that has more than one Emergency Telephone System Board or Joint Emergency Telephone System Board and more than 2 PSAPs, the 9-1-1 Authorities shall be consolidated into a single joint board, and the number of PSAPs shall be reduced by at least 50% or to 2 PSAPs, whichever is greater. Nothing in this paragraph shall preclude consolidation resulting in one PSAP in the county.
  - (6) Any 9-1-1 Authority that does not have a PSAP within its jurisdiction shall be consolidated through an intergovernmental agreement with an existing 9-1-1 Authority that has a PSAP to create a Joint Emergency Telephone Board.
  - (7) The corporate authorities of each county that has no 9-1-1 service as of January 1, 2016 shall provide 9-1-1 wireline and wireless 9-1-1 service for that county by either (i) entering into an intergovernmental agreement with an existing Emergency Telephone System Board to create a new Joint Emergency Telephone System Board, or (ii) entering into an intergovernmental agreement with the corporate authorities that have created an existing Joint Emergency Telephone System Board.
- (b) By July 1, 2016, each county required to consolidate pursuant to paragraph (7) of subsection (a) of this Section and each 9-1-1 Authority required to consolidate pursuant to paragraphs (1) through (6) of subsection (a) of this Section shall file a plan for consolidation or a request for a waiver pursuant to subsection (c) of this Section with the Office of the Statewide 9-1-1 Administrator.
- (1) No county or 9-1-1 Authority may avoid the requirements of this Section by converting primary PSAPs to secondary or virtual answering points; however a PSAP may be decommissioned. Staff from decommissioned PSAPs may remain to perform nonemergency police, fire, or EMS responsibilities. Any county or 9-1-1 Authority not in compliance with this Section shall be ineligible to receive consolidation grant funds issued under Section 15.4b of this Act or monthly disbursements otherwise due under Section 30 of this Act, until the county or 9-1-1 Authority is in compliance.
  - (2) Within 60 calendar days of receiving a consolidation plan or waiver, the Statewide 9-1-1 Advisory Board shall hold at least one public hearing on the plan and provide a recommendation to the Administrator. Notice of the hearing shall be provided to the respective entity to which the plan applies.
  - (3) Within 90 calendar days of receiving a consolidation plan, the Administrator shall approve the plan or waiver, approve the plan as modified, or grant a waiver pursuant to subsection (c) of this Section. In making his or her decision, the Administrator shall consider any recommendation from the Statewide 9-1-1 Advisory Board regarding the plan. If the Administrator does not follow the recommendation of the Board, the Administrator shall provide a written explanation for the deviation in his or her decision.
  - (4) The deadlines provided in this subsection may be extended upon agreement between the Administrator and entity which submitted the plan.

Sec. 30. Statewide 9-1-1 Fund; surcharge disbursement.

(a) ~~A special fund in the State treasury known as the Wireless Service Emergency Fund shall be renamed the Statewide 9-1-1 Fund. Any appropriations made from the Wireless Service Emergency Fund shall be payable from the Statewide 9-1-1 Fund.~~ The Statewide 9-1-1 Fund shall consist of the following:

- (1) ~~9-1-1 wireless surcharges assessed under the Wireless Emergency Telephone Safety Act. (Repealed)~~
- (2) 9-1-1 surcharges assessed under Section 20 of this Act.
- (3) Prepaid wireless 9-1-1 surcharges assessed under Section 15 of the Prepaid Wireless 9-1-1 Surcharge Act.
- (4) Any appropriations, grants, or gifts made to the Fund.
- (5) Any income from interest, premiums, gains, or other earnings on moneys in the Fund.
- (6) Money from any other source that is deposited in or transferred to the Fund.

No monies deposited into the Statewide 9-1-1 Fund may be diverted, obligated or expended for a purpose or function other than those set forth in Section 35 of this Act.

(b) Subject to appropriation and availability of funds, the Illinois State Police shall distribute the 9-1-1 surcharges monthly as follows:

- (1) From each surcharge collected and remitted under Section 20 of this Act:
  - (D) Beginning January 1, 2018, until June 30, 2020, \$0.12, and on and after July 1, 2020, \$0.04 shall be used to make monthly ~~proportional grants~~ disbursements to the appropriate 9-1-1 Authority currently taking wireless 9-1-1 based upon the United States Postal Zip Code of the billing addresses of subscribers wireless carriers.
- (2) After disbursements under paragraph (1) of this subsection (b), all remaining funds in the Statewide 9-1-1 Fund shall be disbursed in the following priority order:
  - (A) The Fund shall pay monthly to:
    - (i) the 9-1-1 Authorities that imposed surcharges under Section 15.3 of this Act and were required to report to the Illinois Commerce Commission under Section 27 of the Wireless Emergency Telephone Safety Act on October 1, 2014, except a 9-1-1 Authority in a municipality with a population in excess of 500,000, an amount equal to the average monthly wireline and VoIP surcharge revenue attributable to the most recent 12-month period reported to the Illinois State Police under that Section for the October 1, 2014 filing, subject to the power of the Illinois State Police to investigate the amount reported and adjust the number by order under Article X of the Public Utilities Act, so that the monthly amount paid under this item accurately reflects one-

**Commented [WKS]:** Added diversion language and notice of one check per system; do we need additional to ensure ETSB oversight?

twelfth of the aggregate wireline and VoIP surcharge revenue properly attributable to the most recent 12-month period reported to the Commission; or

- (ii) county qualified governmental entities that did not impose a surcharge under Section 15.3 as of December 31, 2015, and counties that did not impose a surcharge as of June 30, 2015, an amount equivalent to their population multiplied by .37 multiplied by the rate of \$0.69; counties that are not county qualified governmental entities and that did not impose a surcharge as of December 31, 2015, shall not begin to receive the payment provided for in this subsection until E9-1-1 and wireless E9-1-1 services are provided within their counties; or
- (iii) counties without 9-1-1 service that had a surcharge in place by December 31, 2015, an amount equivalent to their population multiplied by .37 multiplied by their surcharge rate as established by the referendum.

(B) All 9-1-1 network costs, except for those that exceed the State's contract pricing for any NG911 services, for systems outside of municipalities with a population of at least 500,000 shall be paid by the Illinois State Police directly to the vendors. (Clarification needed. What does the State contract include? Can a copy of the contract with AT&T be made available?)

(C) All expenses incurred by the Administrator and the Statewide 9-1-1 Advisory Board and costs associated with procurement under Section 15.6b including requests for information and requests for proposals.

(D) Funds may be held in reserve by the Statewide 9-1-1 Advisory Board and disbursed by the Illinois State Police for grants under Section 15.4b of this Act and for NG9-1-1 expenses up to \$12.5 million per year in State fiscal years 2016 and 2017; up to \$20 million in State fiscal year 2018; up to \$20.9 million in State fiscal year 2019; up to \$15.3 million in State fiscal year 2020; up to \$16.2 million in State fiscal year 2021; up to \$23.1 million in State fiscal year 2022; and up to \$17.0 million per year for State fiscal year 2023 and each year thereafter. The amount held in reserve in State fiscal years 2021, 2022, and 2023 shall not be less than \$6.5 million. Disbursements under this subparagraph (D) shall be prioritized as follows: (i) consolidation grants prioritized under subsection (a) of Section 15.4b of this Act; (ii) NG9-1-1 expenses; and (iii) consolidation grants under Section 15.4b of this Act for consolidation expenses incurred between January 1, 2010, and January 1, 2016.

(E) All remaining funds per remit month shall be used to make monthly ~~proportional grants/disbursements~~ to the appropriate 9-1-1 Authority currently taking wireless 9-1-1 based upon the United States Postal Zip Code of the billing addresses of subscribers of wireless carriers.

(e) The Illinois State Police shall make a single payment for each 9-1-1 Authority for each of the disbursements provided for above consistent with the provisions of Section 15.4 of this Act so that the ETSB may comply with its obligation to serve as the custodian of such funds. Payment shall be made to each 9-1-1 Authority within thirty (30) days.

Sec. 35. ~~9-1-1 surcharge; allowable acceptable expenditures.~~

Except as otherwise provided in this Act, expenditures from surcharge revenues received under this Act ~~may be made by municipalities, counties, and 9-1-1 Authorities only to pay for the costs associated with~~ shall be made consistent with 47 CFR §9.23 and limited to the following:

- ~~(1) The design of the Emergency Telephone System.~~
- ~~(2) The coding of an initial Master Street Address Guide database, and update and maintenance thereof.~~
- ~~(3) The repayment of any moneys advanced for the implementation of the system.~~
- ~~(4) The charges for Automatic Number Identification and Automatic Location Identification equipment, a computer aided dispatch system that records, maintains, and integrates information, mobile data transmitters equipped with automatic vehicle locators, and maintenance, replacement, and update thereof to increase operational efficiency and improve the provision of emergency services.~~
- ~~(5) The non-recurring charges related to installation of the Emergency Telephone System.~~
- ~~(6) The initial acquisition and installation, or the reimbursement of costs therefor to other governmental bodies that have incurred those costs, of road or street signs that are essential to the implementation of the Emergency Telephone System and that are not duplicative of signs that are the responsibility of the jurisdiction charged with maintaining road and street signs. Funds may not be used for ongoing expenses associated with road or street sign maintenance and replacement.~~
- ~~(7) Other products and services necessary for the implementation, upgrade, and maintenance of the system and any other purpose related to the operation of the system, including costs attributable directly to the construction, leasing, or maintenance of any buildings or facilities or costs of personnel attributable directly to the operation of the system. Costs attributable directly to the operation of an emergency telephone system do not include the costs of public safety agency personnel who are and equipment that is dispatched in response to an emergency call.~~
- ~~(8) The defraying of expenses incurred to implement Next Generation 9-1-1, subject to the conditions set forth in this Act.~~
- ~~(9) The implementation of a computer aided dispatch system or hosted supplemental 9-1-1 services.~~
- ~~(10) The design, implementation, operation, maintenance, or upgrade of wireless 9-1-1, E9-1-1, or NG9-1-1 emergency services and public safety answering points.~~
- 1) Support and implementation of 911 services provided by or in the State or taxing jurisdiction imposing the fee or charge; and

**Commented [ISP LO6]:** Diverting fees collected for 911 service of any type, whether it be wireline, wireless, IP based, or text, undermines the purpose of these federal statutes by depriving the 911 system of the funds it needs to function effectively and to modernize 911 operations.

Diversion. The obligation or expenditure of a 911 fee or charge for a purpose or function other than the purposes and functions designated by the Commission as acceptable pursuant to § 9.23. Diversion also includes distribution of 911 fees to a political subdivision that obligates or expends such fees for a purpose or function other than those designated as acceptable by the Commission pursuant to § 9.23. Federal Communications Commission FCC 21-80

2) Operational expenses of public safety answering points within such State or taxing jurisdiction.

3) Acceptable purposes and functions include, but are not limited to, the following, provided that the State or taxing jurisdiction can adequately document that it has obligated or spent the fees or charges in question for these purposes and functions:

a) PSAP operating costs, including lease, purchase, maintenance, replacement, and upgrade of customer premises equipment (CPE) (hardware and software), computer aided dispatch (CAD) equipment (hardware and software), and the PSAP building/facility and including NG911, cybersecurity, pre-arrival instructions, and emergency notification systems (ENS). PSAP operating costs include technological innovation that supports 911;

b) PSAP personnel costs, including telecommunicators' salaries and training;

c) PSAP administration, including costs for administration of 911 services and travel expenses associated with the provision of 911 services;

d) Integrating public safety/first responder dispatch and 911 systems, including lease, purchase, maintenance, and upgrade of CAD hardware and software to support integrated 911 and public safety dispatch operations; and

e) Providing for the interoperability of 911 systems with one another and with public safety/first responder radio systems.

4) Purposes and functions that are not acceptable for the obligation or expenditure of 911 fees or charges include, but are not limited to, the following:

a) Transfer of 911 fees into a State or other jurisdiction's general fund or other fund for non-911 purposes;

b) Equipment or infrastructure for constructing or expanding non-public safety communications networks (e.g., commercial cellular networks); and

c) Equipment or infrastructure for law enforcement, firefighters, and other public safety/first responder entities that does not directly support providing 911 services.

5) Expenses not enumerated in the Illinois Acceptable Purposes and Functions for the Obligation or Expenditure of 9-1-1 Surcharge Table are not acceptable unless a request for review is approved by the Administrator with input from the Statewide 9-1-1 Advisory Board.

[Section 15.4b referenced/further discussed](#)

In the case of a municipality with a population over 500,000, moneys may also be used for any anti-terrorism or emergency preparedness measures, including, but not limited to, preparedness planning, providing local matching funds for federal or State grants, personnel training, and specialized equipment, including surveillance cameras, as needed to deal with natural and terrorist-inspired emergency situations or events.

**Commented [ISP L07]:** Adding FCC language to make it consistent; should we just leave it with 1 & 2 and define everything else via rule?



The obligation or expenditure of surcharge revenues received under this Act for a purpose or function other than those set forth in this Section shall constitute diversion. Diversion is a violation of this Section and shall constitute a petty offense for which a fine of \$1,000 per occurrence may be imposed by the Administrator and shall be deposited into the Emergency Telephone System Fund and disbursed pursuant to Section 30 of this Act.

50 ILCS 750/40

Sec. 40. **Financial reports.**

- (d) If an emergency telephone system board that receives funds from the Statewide 9-1-1 Fund fails to file the 9-1-1 system financial reports as required under this Section or does not meet the legislative Next Generation i3 and text to 9-1-1 requirements as set forth in Section 6.2 of this Act, the Illinois State Police shall suspend and withhold monthly disbursements otherwise due to the emergency telephone system board under Section 30 of this Act until the report is filed or the requirements are met. The ETSB shall be afforded an opportunity to correct any deficiencies under this Section; however, any ETSB that does not make the required corrections within 6 months of being directed to do so shall forfeit the suspended disbursements. Failure to make the required corrections within one year of being directed to do so is a violation of this Section and shall constitute a petty offense for which a fine of \$1,000 per occurrence may be imposed by the Administrator and shall be deposited into the Emergency Telephone System Fund and disbursed pursuant to Section 30 of this Act. The Illinois State Police may adopt rules for the administration of this Section.

This section should include reporting by the telephone companies and the State of Illinois.

**Commented [ISP LO8]:** If a 9-1-1 Authority does not meet the legislative Next Generation i3 and Text due date requirements surcharge distributions will be forfeited. Once the requirements are met surcharge distributions will be reinstated. Trying to prevent what happened with enhanced 911 where we had unserved counties. Should we draft something that would be a tiered approach like the AFRs to suspend, afford an opportunity to correct, and then forfeit?