

## ETSA/CESSA Legislative Changes - Summary

**ETSA Amendment 1:** [10300HB3940sam001 \(ilga.gov\)](https://ilga.gov)

### DEFINITIONS

- "EMS personnel" has the meaning given to that term in Section 3.5 of the Emergency Medical Services (EMS) Systems Act.
- "First responder" means someone designated by a public safety agency who is charged with responding to emergency service requests, including emergency communications professionals, public safety telecommunicators, public safety telecommunicator supervisors, and police, fire, and EMS personnel who operate in the field.
- "Grade of service" means P.01 for E9-1-1 enhanced 9-1-1 services or the equivalent for NENA Baseline NG9-1-1 as set forth in the NENA i3 Solution adopted standard for NG9-1-1.

### NEXT GENERATION 9-1-1 SERVICE

- (50 ILCS 750/3) (from Ch. 134, par. 33) By July 1, 2017, every local public agency shall be within the jurisdiction of a 9-1-1 system. (b) Within 36 ~~48~~ months of the awarding of a contract to a vendor certified under Section 13-900 of the Public Utilities Act to provide Next Generation 9-1-1 service, every 9-1-1 system in Illinois, except in a municipality with a population over 500,000, shall provide Next Generation 9-1-1 service. A municipality with a population over 500,000 shall provide Next Generation 9-1-1 service by July 1, 2024 ~~December 31, 2023~~.

### TEXT-TO-9-1-1

- (50 ILCS 750/6.2) See date changes.

### AGGREGATOR RESPONSIBILITIES

- (50 ILCS 750/11.5) (Section scheduled to be repealed on December 31, 2023) Sec. 11.5.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 February 1, 2024 and every February 1 thereafter ~~July 1, 2021~~, each aggregator that is operating within the State must submit email ~~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 and made available by the Illinois State Police for this purpose:

### **MAJOR PURPOSE OF THE ACT – CALL HANDLING AGREEMENTS**

- (50 ILCS 750/14) (from Ch. 134, par. 44) (Section scheduled to be repealed on December 31, 2023) Sec. 14.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 under Section 11. Notice of any changes to call handling and aid outside jurisdictional boundaries agreements must be made annually during the financial reporting process ~~Certified notification of the continuation of call handling and aid outside jurisdictional boundaries agreements shall be made among the involved parties on an annual basis.~~ The Illinois State Police may adopt rules for the administration of this Section.
- (50 ILCS 750/15.2) (from Ch. 134, par. 45.2) (Section scheduled to be repealed on December 31, 2023) Sec. 15.2. Any person placing a call or text ~~an "emergency call"~~ to the number "911" or causing a transmission, in any manner, to a public safety agency or public safety answering point for the purpose of making an alarm or complaint and reporting false information when, at the time the call, text, or transmission is made, the person knows there is no reasonable ground for making the call, text, or transmission ~~and further knows that the call or transmission could result in the emergency response of any public safety agency,~~ is subject to the provisions of Section 26-1 of the Criminal Code of 2012.

### **LOCAL WIRELESS SURCHARGE**

- (50 ILCS 750/15.3a) See date changes.

## **EMERGENCY TELEPHONE SYSTEM BOARD AND POWERS**

- (50 ILCS 750/15.4) (from Ch. 134, par. 45.4) (d) The board shall complete and maintain a Next Generation 9-1-1 GIS database in accordance with NENA Standards before implementation of the NG9-1-1 system. The MSAG and GIS data standardizing and synchronization must reach a 98% or greater match rate, with an option of matching with ALI, before using GIS data for NG9-1-1 a Master Street Address Guide database before implementation of the 9-1-1 system. The error ratio of the database shall not at any time exceed 1% of the total database.

## **CONSOLIDATION GRANTS**

- (50 ILCS 750/15.4b) (7) expanding NG9-1-1 ~~E9-1-1~~ service coverage as a result of 9-1-1 system consolidation ~~including to areas without E9-1-1 service~~. Priority shall be given first to counties not providing 9-1-1 service as of January 1, 2016, and next to other entities consolidating as required under Section 15.4a of this Act. (b) The 9-1-1 System Consolidation Grant application, as defined by Illinois State Police rules, shall be submitted electronically using the State's grant management system by February 1, 2024 and every February 1 to the Administrator starting January 2, 2016, and every January 2 thereafter. The application shall include a modified 9-1-1 system plan as required by this Act in support of the consolidation plan. The Administrator shall have until June 30, 2016 and every June 30 thereafter to approve 9-1-1 System Consolidation grants and modified 9-1-1 system plans. Payment under the approved 9-1-1 System Consolidation grants shall be contingent upon the final approval of a modified 9-1-1 system plan. (c) ~~(Blank). Existing and previously completed consolidation projects shall be eligible to apply for reimbursement of costs related to the consolidation incurred between 2010 and the State fiscal year of the application.~~

## **MLTS 9-1-1 SERVICE**

- (50 ILCS 750/15.5) (Section scheduled to be repealed on December 31, 2023) Sec. 15.5. Grandfathered private residential switch or MLTS 9-1-1 service. (a) An entity that manages or operates a private residential switch service or shared residential or temporary residential MLTS service that was installed on or before February 16, 2020 shall ensure that the system is connected to the public switched telephone network so that calls to 9-1-1 route to the appropriate 9-1-1 jurisdiction and shall ensure that the system includes, but is not limited to, the capability to provide ANI, the extension number, and the ALI containing the street address of the 9-1-1 caller who dispatchable location that is the source of the call to 9-1-1

## **STATEWIDE SURCHARGE**

- (50 ILCS 750/20) (j) Notwithstanding any provision of law to the contrary, nothing shall impair the right of wireless carriers to recover unreimbursed compliance costs for all emergency communications services ~~that are not reimbursed out of the Wireless Carrier Reimbursement Fund~~ directly from their wireless subscribers by line-item charges on the wireless subscriber's

bill. Those compliance costs include all costs incurred by wireless carriers in complying with local, State, and federal regulatory or legislative mandates that require the transmission and receipt of emergency communications to and from the general public, including, but not limited to, E9-1-1.

### **STATEWIDE 9-1-1 FUND**

- (50 ILCS 750/30) (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 Fund shall consist of the following: (1) (Blank). ~~9-1-1 wireless surcharges assessed under the Wireless Emergency Telephone Safety Act.~~
- (50 ILCS 750/30) (Blank). ~~\$0.033 shall be transferred by the Comptroller at the direction of the Illinois State Police to the Wireless Carrier Reimbursement Fund until June 30, 2017; from July 1, 2017 through June 30, 2018, \$0.026 shall be transferred; from July 1, 2018 through June 30, 2019, \$0.020 shall be transferred; from July 1, 2019, through June 30, 2020, \$0.013 shall be transferred; from July 1, 2020 through June 30, 2021, \$0.007 will be transferred; and after June 30, 2021, no transfer shall be made to the Wireless Carrier Reimbursement Fund.~~
- (50 ILCS 750/30) (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 disbursements ~~proportional grants~~ 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.
- (50 ILCS 750/30) (F) On and after July 1, 2020, \$0.13 shall be used for the implementation of and continuing expenses for the Statewide NG9-1-1 system. (1.5) Beginning on the effective date of this amendatory Act of the 103rd General Assembly, to assist with the implementation of the statewide Next Generation 9-1-1 network, the Illinois State Police's administrative costs include the one-time capital cost of upgrading the Illinois State Police's call-handling equipment to meet the standards necessary to access and increase interoperability with the statewide Next Generation 9-1-1 network as follows: (A) upon completion of the Illinois State Police's call-handling equipment upgrades, but no later than June 30, 2024, surplus moneys in excess of \$1,000,000 from subparagraph (C) of paragraph (1) not utilized by the Illinois State Police for administrative costs shall be distributed to the 9-1-1 Authorities in accordance with subparagraph (E) of paragraph (2) on an annual basis at the end of the State fiscal year. Any remaining surplus money may also be distributed consistent with this paragraph (1.5) at the discretion of the Illinois State Police; and (B) upon implementation of the Statewide NG9-1-1 system, but no later than June 30, 2024, surplus moneys in excess of \$5,000,000 from subparagraph (F) of paragraph (1) not utilized by the Illinois State Police for the implementation of and continuing expenses for the Statewide NG9-1-1 system shall be distributed to the 9-1-1 Authorities in accordance with subparagraph (E) of subsection (2) on an annual basis at the end

of the State fiscal year. Any remaining surplus money may also be distributed consistent with this paragraph (1.5) at the discretion of the Illinois State Police.

- (50 ILCS 750/30) (E) All remaining funds per remit month shall be used to make monthly disbursements proportional grants 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.

### **9-1-1 SURCHARGE; ALLOWABLE EXPENDITURES**

- (50 ILCS 750/35) (Section scheduled to be repealed on December 31, 2023) Sec. 35. 9-1-1 surcharge; allowable expenditures. (a) Except as otherwise provided in this Act, expenditures from surcharge revenues received under this Act shall may be made consistent with 47 CFR 9.23, which include by municipalities, counties, and 9-1-1 Authorities only to pay for the costs associated with the following: (1) support and implementation of 9-1-1 services provided by or in the State or taxing jurisdiction imposing the fee or charge; and The design of the Emergency Telephone System. (2) operational expenses of public safety answering points within the State. Examples of allowable expenditures include, but are not limited to: (A) PSAP operating costs, including lease, purchase, maintenance, replacement, and upgrade of customer premises equipment (hardware and software), CAD equipment (hardware and software), and the PSAP building and facility and including NG9-1-1, cybersecurity, pre-arrival instructions, and emergency notification systems. PSAP operating costs include technological innovation that supports 9-1-1; (B) PSAP personnel costs, including telecommunicators' salaries and training; (C) PSAP administration, including costs for administration of 9-1-1 services and travel expenses associated with the provision of 9-1-1 services; (D) integrating public safety and first responder dispatch and 9-1-1 systems, including lease, purchase, maintenance, and upgrade of CAD equipment (hardware and software) to support integrated 9-1-1 and public safety dispatch operations; and (E) providing the interoperability of 9-1-1 systems with one another and with public safety and first responder radio systems The coding of an initial Master Street Address Guide database, and update and maintenance thereof. (3) (Blank). The repayment of any moneys advanced for the implementation of the system. (4) (Blank). 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) (Blank). The non-recurring charges related to installation of the Emergency Telephone System. (6) (Blank). 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) (Blank). Other products and services necessary for first responder radio systems The coding of an initial Master Street Address Guide database, and update and

maintenance thereof. (3) (Blank). The repayment of any moneys advanced for the implementation of the system. (4) (Blank). 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) (Blank). The non-recurring charges related to installation of the Emergency Telephone System. (6) (Blank). 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) (Blank). 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) (Blank). The defraying of expenses incurred to implement Next Generation 9-1-1, subject to the conditions set forth in this Act. (9) (Blank). The implementation of a computer aided dispatch system or hosted supplemental 9-1-1 services. (10) (Blank). 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. (b) The obligation or expenditure of surcharge revenues received under this Act for a purpose or function inconsistent with 47 CFR 9.23 and this Section shall constitute diversion, which undermines the purpose of this Act by depriving the 9-1-1 system of the funds it needs to function effectively and to modernize 9-1-1 operations. Examples of diversion include, but are not limited to: (1) transfer of 9-1-1 fees into a State or other jurisdiction's general fund or other fund for non-9-1-1 purposes; (2) use of surcharge revenues for equipment or infrastructure for constructing or expanding non-public-safety communications networks (e.g., commercial cellular networks); and (3) use of surcharge revenues for equipment or infrastructure for law enforcement, firefighters, and other public safety or first responder entities that does not directly support providing 9-1-1 services. (c) 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.

## **FINANCIAL REPORTS**

- (50 ILCS 750/40) Sec. 40. Financial reports. (a) The Illinois State Police shall create uniform accounting procedures, 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, that any emergency telephone system board or unit of local government receiving surcharge money

pursuant to Section 15.3, 15.3a, or 30 of this Act must follow. (b) By January 31, 2018, and every January 31 thereafter, each emergency telephone system board ~~or unit of local government~~ receiving surcharge money pursuant to Section 15.3, 15.3a, or 30 shall report to the Illinois State Police audited financial statements showing total revenue and expenditures for the period beginning with the end of the period covered by the last submitted report through the end of the previous calendar year in a form and manner as prescribed by the Illinois State Police. Such financial information shall include: (1) a detailed summary of revenue from all sources including, but not limited to, local, State, federal, and private revenues, and any other funds received; (2) all expenditures made during the reporting period from distributions under this Act; (3) call data and statistics, when available, from the reporting period, as specified by the Illinois State Police and collected in accordance with any reporting method established or required by the Illinois State Police; (4) all costs associated with dispatching appropriate public safety agencies to respond to 9-1-1 calls received by the PSAP; and (5) all funding sources and amounts of funding used for costs described in paragraph (4) of this subsection (b). The emergency telephone system board ~~or unit of local government~~ is responsible for any costs associated with auditing such financial statements. The Illinois State Police shall post annual financial reports ~~the audited financial statements~~ on the Illinois State Police's website. (c) Along with its audited financial statement, each emergency telephone system board ~~or unit of local government~~ receiving a grant under Section 15.4b of this Act shall include a report of the amount of grant moneys received and how the grant moneys were used. In case of a conflict between this requirement and the Grant Accountability and Transparency Act, or with the rules of the Governor's Office of Management and Budget adopted thereunder, that Act and those rules shall control.

### **FUND AUDITS**

- (50 ILCS 750/50) Sec. 50. Fund audits. The Auditor General shall conduct as a part of its bi-annual audit, an audit of the Statewide 9-1-1 Fund ~~and the Wireless Carrier Reimbursement Fund~~ for compliance with the requirements of this Act. The audit shall include, but not be limited to, the following determinations: (1) Whether detailed records of all receipts and disbursements from the Statewide 9-1-1 Fund ~~and the Wireless Carrier Reimbursement Fund~~ are being maintained.

### **REPEALER**

- (50 ILCS 750/99) (Section scheduled to be repealed on December 31, 2023) Sec. 99. Repealer. This Act is repealed on December 31, 2025 ~~2023~~.

### **DISORDERLY CONDUCT**

- (720 ILCS 5/26-1) (5) Transmits or causes to be transmitted in any manner a false report to any public safety agency without the reasonable grounds necessary to believe that transmitting the report is necessary for the safety and welfare of the public; ~~or~~ (6) Calls or texts the number

~~"911" or transmits or causes to be transmitted in any manner to a public safety agency or public safety answering point for the purpose of making or transmitting a false alarm or complaint and reporting information when, at the time the call, text, or transmission is made, the person knows there is no reasonable ground for making the call or transmission and further knows that the call or transmission could result in the emergency response of any public safety agency;~~

**ETSA Amendment 2:** [10300HB3940sam002 \(ilga.gov\)](#)

- AMENDMENT NO. \_\_\_\_\_. Amend House Bill 3940, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 1, on page 26, by replacing lines 17 through 22 with the following:

~~"point for the purpose of making an alarm or complaint and reporting false information when, at the time the call, text, or transmission is made, the person knows there is no reasonable ground for making the call, text, or transmission and further knows that the call, text, or transmission could result in the emergency response of any public safety agency, is";~~ and

on page 53, by replacing line 5 with "network."; and

on page 53, lines 6 and 17, by replacing "upon" each time it appears with "Upon"; and

on page 53, line 16, by replacing "Police; and" with "Police."; and

on page 68, by replacing lines 4 through 10 with the following: "agency or public safety answering point for the purpose of making or transmitting a false alarm or complaint and reporting information when, at the time the call, text, or transmission is made, the person knows there is no reasonable ground for making the call, text, or transmission and further knows that the call, text, or transmission could result in the emergency response of any public safety agency;"

**CESSA Amendment 2:** [10300HB1364sam002 \(ilga.gov\)](#)

- See date and title changes.

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