

House Bill 3520

Sponsored by Representative BARNHART

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Modifies definition of 9-1-1 jurisdiction. Requires merger or consolidation of smaller 9-1-1 emergency reporting system providers.

A BILL FOR AN ACT

1
2 Relating to emergency communications; creating new provisions; and amending ORS 401.710 and
3 401.821.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 401.710 is amended to read:

6 401.710. As used in ORS 305.823 and 401.710 to 401.816, unless the context requires otherwise:

7 (1) "Account" means the Emergency Communications Account.

8 (2) "Central office" means a utility that houses the switching and trunking equipment serving
9 telephones in a defined area.

10 (3) "Department" means the Department of Revenue.

11 (4) "Emergency call" means a telephone request that results from a situation where prompt
12 service is essential to preserve human life or property.

13 (5) "Enhanced 9-1-1 telephone service" means 9-1-1 telephone service consisting of a network,
14 database and on-premises equipment that provides automatic display at the designated public safety
15 answering point of the address and telephone number at the time of receiving an incoming 9-1-1 call.

16 (6) "Exchange access services" means:

17 (a) Telephone exchange access lines or channels that provide local access by a subscriber in this
18 state to the local telecommunications network to effect the transfer of information; and

19 (b) Unless a separate tariff rate is charged therefor, any facility or service provided in con-
20 nection with the services described in paragraph (a) of this subsection.

21 (7) "Governing body" means the board of county commissioners of a county, city council of a
22 city, other governing body of a city or county, board of directors of a special district or a 9-1-1 ju-
23 risdiction.

24 (8) "Local government" has the meaning given that term in ORS 190.710.

25 (9) "Office" means the Office of Emergency Management of the Department of State Police.

26 (10) "Provider" means a utility or other vendor or supplier of telecommunications service or
27 equipment that provides telecommunications with access to the 9-1-1 emergency reporting system
28 through local exchange service, cellular service or other wired or wireless means.

29 (11) "Public or private safety agency" means any unit of state or local government, a special-
30 purpose district or a private firm that provides or has authority to provide fire-fighting, police, am-
31 bulance or emergency medical services.

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted.
New sections are in **boldfaced** type.

1 (12) "Public safety answering point" means a 24-hour communications facility established as an
 2 answering location for 9-1-1 calls originating within a given service area. A "primary public safety
 3 answering point" receives all calls directly from the public. A "secondary public safety answering
 4 point" only receives calls from a primary public safety answering point on a transfer or relay basis.

5 (13) "Subscriber" means a person who has telecommunication access to the 9-1-1 emergency re-
 6 porting system through local exchange service, cellular service or other wired or wireless means.

7 (14) "TTY" means a telephone-typewriter used by a hearing or speech impaired person to com-
 8 municate with another device or individual.

9 (15) "Utility" means a utility as defined in ORS 759.005, a telecommunications carrier as defined
 10 in ORS 133.721 or a municipality or any provider of exchange access services.

11 (16) "Vendor" means any corporation, company, individual or association, providing telephone
 12 customer premises equipment or equipment specific to the operation of enhanced 9-1-1 telephone
 13 service.

14 (17) "9-1-1 emergency reporting system" means a telephone service that provides the users of a
 15 public telephone system the ability to reach a primary public safety answering point by calling 9-1-1.

16 *[(18) "9-1-1 jurisdiction" means an entity created under ORS chapter 190, a county service district
 17 established under ORS chapter 451 to provide an emergency communications system, an emergency
 18 communications district created under ORS 401.818 to 401.857 or a group of public or private safety
 19 agencies who have agreed in writing to jointly plan the installation, maintenance, operation or im-
 20 provement of a 9-1-1 emergency reporting system.]*

21 **(18) "9-1-1 jurisdiction" means one of the following that has formed for the purpose of,
 22 or agreed in writing to plan jointly, the installation, maintenance, operation or improvement
 23 of a 9-1-1 emergency reporting system:**

24 **(a) An intergovernmental entity created under ORS 190.003 to 190.130 that includes:**

25 **(A) Either a county or a county service district established under ORS chapter 451; or**

26 **(B) A city with a population of at least _____; or**

27 **(b) A 9-1-1 communications district created under ORS 401.818 to 401.857.**

28 (19) "9-1-1 service area" means the geographical area that contains the entire central office
 29 serving area from which the primary public safety answering point will have the capability to an-
 30 swer calls placed to 9-1-1.

31 **SECTION 2.** ORS 401.821 is amended to read:

32 401.821. (1) A 9-1-1 communications district may be created as provided in ORS 198.705 to
 33 198.955 and 401.818 to 401.857.

34 (2) A 9-1-1 communications district shall consist of all the telephone exchange service areas lo-
 35 cated wholly or partly within a designated 9-1-1 jurisdiction's service area that is served by a public
 36 safety answering point. **At a minimum,** a district [*may include more than one city and county*] **shall**
 37 **include the entire area of:**

38 **(a) A county; or**

39 **(b) A city with a population of at least _____.**

40 (3) Before a petition for formation of a district is filed with the county board of the principal
 41 county under ORS 198.800, it shall be approved by indorsement thereon by two-thirds of the gov-
 42 erning bodies of all public or private safety agencies representing two-thirds of the population in-
 43 cluded within the proposed district. A county governing body shall not adopt an order under ORS
 44 198.835 for the formation of a district unless the governing body first obtains written approval for
 45 the formation of the district from two-thirds of the governing bodies of all public or private safety

1 agencies representing two-thirds of the population included within the proposed district.

2 (4) In addition to other required matters, the petition for formation shall state the number of
3 district board members for the proposed district and the method of election of the board of the
4 proposed district from among the methods described in ORS 401.836.

5 **SECTION 3. (1) Within one year after the effective date of this 2007 Act, a 9-1-1 juris-**
6 **isdiction in existence on the effective date of this 2007 Act that does not qualify as a 9-1-1 ju-**
7 **risdiction based on the amendments to ORS 401.710 by section 1 of this 2007 Act must be**
8 **merged into a county-wide or city-wide 9-1-1 jurisdiction or consolidated with other 9-1-1 ju-**
9 **risdictions using, as appropriate, either:**

10 (a) An intergovernmental agreement entered into under ORS 190.003 to 190.130; or

11 (b) The procedures for formation, annexation, withdrawal, merger, consolidation or dis-
12 solution of a district under ORS 198.705 to 198.955.

13 (2) Units of local government, as defined in ORS 190.003, shall work cooperatively with
14 existing 9-1-1 jurisdictions and in consultation with the Office of Emergency Management to
15 ensure that all areas of the State of Oregon have, and continue to have during and after the
16 transition, adequate access to the 9-1-1 emergency reporting system.

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