

**PROPOSED AMENDMENTS TO
HOUSE BILL 2426**

1 On page 1 of the printed bill, delete lines 18 through 30 and delete pages
2 2 through 5 and insert:

3 **“SECTION 2.** ORS 403.105, as amended by section 1, chapter 59, Oregon
4 Laws 2014, is amended to read:

5 “403.105. As used in ORS 305.823 and 403.105 to 403.250, unless the context
6 requires otherwise:

7 “(1) ‘Account’ means the Emergency Communications Account.

8 “(2) ‘Automatic location identification’ means a component or capability
9 of [*enhanced 9-1-1 telephone service*] **the emergency communications sys-**
10 **tem** that provides automatic display in the designated public safety answer-
11 ing point of geographic information about the location of the instrument
12 used to originate an incoming **emergency call** [*9-1-1 call*].

13 “(3) ‘Automatic number identification’ means a component or capability
14 of [*enhanced 9-1-1 telephone service*] **the emergency communications sys-**
15 **tem** that provides automatic display in the designated public safety answer-
16 ing point of a telephone number associated with the access line from which
17 an incoming [*9-1-1 call*] **emergency call** originates.

18 “(4) ‘Call-back number’ means a telephone number, **or other unique**
19 **number or code assigned to an instrument**, used by a primary public
20 safety answering point to contact the [*location*] **instrument** from which an
21 incoming **emergency call to 9-1-1** [*call*] originates.

22 “(5) ‘Central office’ means a utility that houses the switching and trunk-

1 ing equipment serving telephones in a defined area.

2 “[~~(6)~~ *‘Department’ means the Department of Revenue.*]

3 “[~~(7)~~ **(6)** *‘Emergency call’ means a [telephone request that results from a*
4 *situation]* **request for assistance using any device capable of direct**
5 **communication to the emergency communications system** in which
6 prompt service is essential to preserve human life or property.

7 **“(7) ‘Emergency communications system’ means the network, da-**
8 **tabase, servers, other equipment and services that provide the means**
9 **to communicate with a primary public safety answering point to re-**
10 **quest and provide assistance to preserve human life or property.**

11 **“(8) ‘Emergency response location identifier’ means a component or ca-**
12 **pability of [enhanced 9-1-1 telephone service] the emergency communi-**
13 **cations system** that identifies a specific emergency response location.

14 **“(9) ‘Enhanced 9-1-1 telephone service’ means 9-1-1 telephone service con-**
15 **sisting of a network, database and on-premises equipment that provides au-**
16 **tomatic display in the designated public safety answering point of a**
17 **telephone number and geographic information about the location of the in-**
18 **strument used to originate an incoming 9-1-1 call when the call is received.**

19 **“(10) ‘Exchange access services’ means:**

20 **“(a) Telephone exchange access lines or channels that provide [local] ac-**
21 **cess by a subscriber in this state to the local telecommunications network**
22 **to effect the transfer of information; and**

23 **“(b) Unless a separate tariff rate is charged therefor, any facility or ser-**
24 **vice provided in connection with the services described in paragraph (a) of**
25 **this subsection.**

26 **“(11) ‘Governing body’ means the [board of county commissioners of a**
27 **county, city council of a city, other governing body of a city or county, board**
28 **of directors of a special] governing body of a city, county, special district**
29 **or [a] 9-1-1 jurisdiction.**

30 **“(12) ‘Key telephone system’ means a type of multiline telephone system**

1 designed to provide exchange access services through shared exchange access
2 lines or channels that typically appears to offer direct line termination on
3 a particular instrument.

4 “(13) ‘Local government’ has the meaning given that term in ORS 190.710.

5 “(14) ‘Multiline telephone system’ means a communications system, in-
6 cluding network, premises-based, PBX, hybrid and key telephone systems,
7 that offers two or more telephone exchange access lines and consists of a
8 common control unit, instruments, control hardware and software and ad-
9 junct systems installed at a subscriber’s premises to support the [9-1-1 emer-
10 gency reporting] **emergency communications** system.

11 “(15) ‘Prepaid wireless telecommunications service’ means a telecommu-
12 nications service that **is sold in predetermined units or dollar amounts,**
13 **must be paid for in advance and** provides the [right] **purchaser with the**
14 **ability** to use mobile wireless service as well as other
15 nontelecommunications services including content, ancillary services and the
16 download of digital products delivered electronically [that must be paid for
17 in advance, and that is sold in predetermined units or dollars].

18 “(16) ‘Primary public safety answering point’ means a **24-hour public**
19 **safety answering point that receives emergency calls directly from**
20 **members of the public.**

21 “[16)] (17) ‘Provider’ means a utility, or other vendor or supplier, [of
22 telecommunications] **that offers communications** service or equipment that
23 provides [telecommunications with access to the 9-1-1 emergency reporting sys-
24 tem through local exchange service, cellular service or other wired or wireless
25 means] **access to the emergency communications system.**

26 “[17)] (18) ‘Public or private safety agency’ means any unit of state or
27 local government, a special-purpose district or a private firm that provides,
28 or has authority to provide, fire-fighting, police, ambulance or emergency
29 medical services.

30 “[18)] (19) ‘Public safety answering point’ means a [24-hour] communi-

1 cations facility established as an answering location for [9-1-1] **emergency**
2 calls originating within a [given] **9-1-1** service area. [A ‘primary public safety
3 answering point’ receives all calls directly from the public. A ‘secondary public
4 safety answering point’ only receives calls from a primary public safety an-
5 swering point on a transfer or relay basis.]

6 “(20) ‘**Secondary public safety answering point**’ means a public
7 **safety answering point that receives emergency calls from a primary**
8 **public safety answering point on a transfer or relay basis.**

9 “[19] (21) ‘Subscriber’ means a person [who] **that** has telecommunication
10 access to [the 9-1-1 emergency reporting] **make an emergency call to the**
11 **emergency communications** system through local exchange service, cellu-
12 lar service or other wired or wireless means.

13 “[20] (22) ‘TTY’ means a telephone-typewriter used by an individual with
14 a hearing or speech impairment to communicate with another device or in-
15 dividual.

16 “[21] (23) ‘Utility’ means a **telecommunications** utility, as defined in
17 ORS 759.005, a telecommunications carrier, as defined in ORS 133.721, a
18 municipality or any provider of exchange access services.

19 “[22] ‘Vendor’ means a person providing telephone customer premises
20 equipment or equipment specific to the operation of enhanced 9-1-1 telephone
21 service.]

22 “[23] (24) ‘Wireless telecommunications service’ means commercial mo-
23 bile radio service, as defined in 47 C.F.R. 20.3.

24 “[24] (25) ‘9-1-1 emergency reporting system’ means a telephone service
25 that provides the users of a public telephone system the ability to reach a
26 primary public safety answering point by calling 9-1-1.

27 “[25] (26) ‘9-1-1 jurisdiction’ means:

28 “(a) An entity created under ORS chapter 190 **to form a 9-1-1 jurisdic-**
29 **tion;**

30 “(b) A county service district established under ORS chapter 451 to pro-

1 vide **emergency communications services within the** [an] emergency
2 communications system;

3 “(c) [An emergency] **A 9-1-1** communications district created under ORS
4 403.300 to 403.380; [or]

5 “(d) **A public or private safety agency; or**

6 “[d)] (e) A group of public or private safety agencies [who] **that** have
7 agreed in writing to jointly plan the installation, maintenance, operation or
8 improvement of [a 9-1-1 emergency reporting system] **components of the**
9 **emergency communications system that are within a 9-1-1 service**
10 **area.**

11 “[26)] (27) ‘9-1-1 service area’ means the geographical area [that contains
12 the entire central office serving area from which the primary public safety
13 answering point will have the capability to answer calls placed to 9-1-1] **de-**
14 **scribed in an approved 9-1-1 jurisdiction plan within which a 9-1-1 ju-**
15 **risdiction has the responsibility to answer emergency calls.**

16 “**SECTION 3.** ORS 403.105, as amended by sections 1 and 1a, chapter 59,
17 Oregon Laws 2014, is amended to read:

18 “403.105. As used in ORS 305.823 and 403.105 to 403.250, unless the context
19 requires otherwise:

20 “(1) ‘Account’ means the Emergency Communications Account.

21 “(2) ‘Automatic location identification’ means a component or capability
22 of [enhanced 9-1-1 telephone service] **the emergency communications sys-**
23 **tem** that provides automatic display in the designated public safety answer-
24 ing point of geographic information about the location of the instrument
25 used to originate an incoming **emergency call** [9-1-1 call].

26 “(3) ‘Automatic number identification’ means a component or capability
27 of [enhanced 9-1-1 telephone service] **the emergency communications sys-**
28 **tem** that provides automatic display in the designated public safety answer-
29 ing point of a telephone number associated with the access line from which
30 an incoming [9-1-1 call] **emergency call** originates.

1 “(4) ‘Call-back number’ means a telephone number, **or other unique**
2 **number or code assigned to an instrument**, used by a primary public
3 safety answering point to contact the *[location]* **instrument** from which an
4 incoming **emergency call** *[9-1-1 call]* originates.

5 “(5) ‘Central office’ means a utility that houses the switching and trunk-
6 ing equipment serving telephones in a defined area.

7 “(6) ‘Consumer’ means a person that purchases prepaid wireless telecom-
8 munications service in a retail transaction.

9 “[~~(7)~~ ‘Department’ means the Department of Revenue.]

10 “[~~(8)~~] **(7) ‘Emergency call’** means a *[telephone request that results from a*
11 *situation]* **request for assistance using any device capable of direct**
12 **communication to the emergency communications system** in which
13 prompt service is essential to preserve human life or property.

14 “**(8) ‘Emergency communications system’** means the network, da-
15 **tabase, servers, other equipment and services that provide the means**
16 **to communicate with a primary public safety answering point to re-**
17 **quest and provide assistance to preserve human life or property.**

18 “(9) ‘Emergency response location identifier’ means a component or ca-
19 pability of *[enhanced 9-1-1 telephone service]* **the emergency communi-**
20 **cations system** that identifies a specific emergency response location.

21 “(10) ‘Enhanced 9-1-1 telephone service’ means 9-1-1 telephone service
22 consisting of a network, database and on-premises equipment that provides
23 automatic display in the designated public safety answering point of a tele-
24 phone number and geographic information about the location of the instru-
25 ment used to originate an incoming 9-1-1 call when the call is received.

26 “(11) ‘Exchange access services’ means:

27 “(a) Telephone exchange access lines or channels that provide *[local]* ac-
28 cess by a consumer or subscriber in this state to the local telecommuni-
29 cations network to effect the transfer of information; and

30 “(b) Unless a separate tariff rate is charged therefor, any facility or ser-

1 vice provided in connection with the services described in paragraph (a) of
2 this subsection.

3 “(12) ‘Governing body’ means the [*board of county commissioners of a*
4 *county, city council of a city, other governing body of a city or county, board*
5 *of directors of a special*] **governing body of a city, county, special** district
6 or [a] 9-1-1 jurisdiction.

7 “(13) ‘Interconnected Voice over Internet Protocol service’ has the mean-
8 ing given that term in 47 C.F.R. 9.3, as amended [*on July 9, 2009*] **and in**
9 **effect on the effective date of this 2015 Act.** [*The Department of Revenue*
10 *may by rule adjust this definition to conform to subsequent amendments to 47*
11 *C.F.R. 9.3.*]

12 “(14) ‘Key telephone system’ means a type of multiline telephone system
13 designed to provide exchange access services through shared exchange access
14 lines or channels that typically appears to offer direct line termination on
15 a particular instrument.

16 “(15) ‘Local government’ has the meaning given that term in ORS 190.710.

17 “(16) ‘Multiline telephone system’ means a communications system, in-
18 cluding network, premises-based, PBX, hybrid and key telephone systems,
19 that offers two or more telephone exchange access lines and consists of a
20 common control unit, instruments, control hardware and software and ad-
21 junct systems installed at a subscriber’s premises to support the [*9-1-1 emer-*
22 *gency reporting*] **emergency communications** system.

23 “(17) ‘Prepaid wireless telecommunications service’ means a telecommu-
24 nications service that **is sold in predetermined units or dollar amounts,**
25 **must be paid for in advance and** provides the [*right*] **purchaser with the**
26 **ability** to use mobile wireless service as well as other
27 nontelecommunications services including content, ancillary services and the
28 download of digital products delivered electronically [*that must be paid for*
29 *in advance, and that is sold in predetermined units or dollars*].

30 “(18) ‘Primary public safety answering point’ means a 24-hour public

1 **safety answering point that receives emergency calls directly from**
2 **members of the public.**

3 “[~~(18)~~] **(19)** ‘Provider’ means a utility, or other vendor or supplier, [*of*
4 *telecommunications*] **that offers communications** service or equipment that
5 provides [*telecommunications with access to the 9-1-1 emergency reporting sys-*
6 *tem through local exchange service, cellular service or other wired or wireless*
7 *means*] **access to the emergency communications system.**

8 “[~~(19)~~] **(20)** ‘Public or private safety agency’ means any unit of state or
9 local government, a special-purpose district or a private firm that provides,
10 or has authority to provide, fire-fighting, police, ambulance or emergency
11 medical services.

12 “[~~(20)~~] **(21)** ‘Public safety answering point’ means a [*24-hour*] communi-
13 cations facility established as an answering location for [*9-1-1*] **emergency**
14 calls originating within a [*given*] **9-1-1** service area. [*A ‘primary public safety*
15 *answering point’ receives all calls directly from the public. A ‘secondary public*
16 *safety answering point’ only receives calls from a primary public safety an-*
17 *swering point on a transfer or relay basis.*]

18 “[~~(21)~~] **(22)** ‘Retail transaction’ means each individual purchase, associ-
19 ated with an individual access number or capable of being associated with
20 an individual access number, of prepaid wireless telecommunications service
21 from a seller for any purpose other than resale.

22 “**(23)** ‘**Secondary public safety answering point**’ means a **public**
23 **safety answering point that receives emergency calls from a primary**
24 **public safety answering point on a transfer or relay basis.**

25 “[~~(22)~~] **(24)** ‘Seller’ means a person that sells prepaid wireless telecom-
26 munications service or access to prepaid wireless telecommunications service
27 to a consumer.

28 “[~~(23)~~] **(25)** ‘Subscriber’ means a person, **other than a consumer**, that
29 has telecommunication access to [*the 9-1-1 emergency reporting*] **the emer-**
30 **gency communications** system through local exchange service, cellular

1 service or other wired or wireless means. [*‘Subscriber’ does not include a*
2 *person that uses prepaid wireless telecommunications service.*]

3 “[~~(24)~~] **(26)** ‘TTY’ means a telephone-typewriter used by an individual with
4 a hearing or speech impairment to communicate with another device or in-
5 dividual.

6 “[~~(25)~~] **(27)** ‘Utility’ means a **telecommunications** utility, as defined in
7 ORS 759.005, a telecommunications carrier, as defined in ORS 133.721, a
8 municipality or any provider of exchange access services.

9 “[~~(26)~~] *‘Vendor’ means a person providing telephone customer premises*
10 *equipment or equipment specific to the operation of enhanced 9-1-1 telephone*
11 *service.*]

12 “[~~(27)~~] **(28)** ‘Wireless telecommunications service’ means commercial mo-
13 bile radio service, as defined in 47 C.F.R. 20.3.

14 “[~~(28)~~] **(29)** ‘9-1-1 emergency reporting system’ means a telephone service
15 that provides the users of a public telephone system the ability to reach a
16 primary public safety answering point by calling 9-1-1.

17 “[~~(29)~~] **(30)** ‘9-1-1 jurisdiction’ means:

18 “(a) An entity created under ORS chapter 190 **to form a 9-1-1 jurisdic-**
19 **tion;**

20 “(b) A county service district established under ORS chapter 451 to pro-
21 vide **emergency communications services within the** [*an*] emergency
22 communications system;

23 “(c) [*An emergency*] **A 9-1-1** communications district created under ORS
24 403.300 to 403.380; [*or*]

25 “**(d) A public or private safety agency; or**

26 “[*d*] **(e)** A group of public or private safety agencies [*who*] **that** have
27 agreed in writing to jointly plan the installation, maintenance, operation or
28 improvement of [*a 9-1-1 emergency reporting system*] **components of the**
29 **emergency communications system that are within a 9-1-1 service**
30 **area.**

1 “[~~(30)~~] (31) ‘9-1-1 service area’ means the geographical area [*that contains*
2 *the entire central office serving area from which the primary public safety*
3 *answering point will have the capability to answer calls placed to 9-1-1.*] **de-**
4 **scribed in an approved 9-1-1 jurisdiction plan within which a 9-1-1 ju-**
5 **risdiction has the responsibility to answer emergency calls.”.**

6 On page 6, delete lines 1 through 16.

7 On page 7, line 38, delete “and internationally”.

8 Delete lines 43 through 45 and delete page 8.

9 On page 9, delete lines 1 through 32 and insert:

10 **“SECTION 9.** ORS 403.120 is amended to read:

11 **“403.120. (1) The Office of Emergency Management shall:**

12 **“(a) [*Adopt rules in accordance with ORS chapter 183 relating to the***
13 ***planning, administration and funding of 9-1-1 emergency reporting systems***
14 ***established pursuant to ORS 403.115.] Except as otherwise provided by***
15 **law, adopt rules relating to the emergency communications system,**
16 **as deemed necessary by the office.**

17 **“(b) [*Assist, at the request of a 9-1-1 jurisdiction, local government or gov-***
18 ***erning body, in planning 9-1-1 emergency reporting systems or may, at the re-***
19 ***quest of a 9-1-1 jurisdiction, act as an agent of the 9-1-1 jurisdiction for the***
20 ***purposes of purchasing and maintaining equipment and services]* **Plan, im-**
21 **plement, administer, operate and maintain the emergency communi-**
22 **cations system** required to fulfill the requirements of ORS 403.115.**

23 **“(c) At the request of a 9-1-1 jurisdiction, act as an agent of the**
24 **9-1-1 jurisdiction for the purposes of purchasing and maintaining**
25 **equipment and services required to conform to applicable laws and**
26 **rules adopted by the office.**

27 **“[~~(c)~~] (d) Report biennially to the Legislative Assembly the progress made**
28 **in implementing ORS 305.823 and 403.105 to 403.250.[, *including in the***
29 **report:] **The report must include:****

30 **“(A) Financial information concerning the revenues collected, distributed**

1 and expended by state agencies and 9-1-1 jurisdictions for the purposes of
2 complying with ORS 403.105 to 403.250; and

3 “(B) Account and subaccount balances.

4 **“(2) The office may enter into and administer contracts for goods
5 and services related to the emergency communications system.**

6 “[~~(2)~~] **(3)** The office may establish advisory committees and study groups
7 to study and advise on:

8 “(a) The planning and administration of [~~9-1-1 emergency reporting
9 systems~~] **public safety answering points; and**

10 “[~~(b)~~] *Multijurisdictional 9-1-1 emergency reporting systems; and*]

11 “[~~(c)~~] **(b)** Issues impacting [~~9-1-1 emergency reporting systems throughout
12 the state~~] **the emergency communications system or individual public
13 safety answering points.**

14 **“SECTION 10.** ORS 403.130 is amended to read:

15 **“403.130. (1) A 9-1-1 jurisdiction shall create and maintain a 9-1-1
16 jurisdiction plan for emergency communications services provided
17 within a 9-1-1 service area pursuant to ORS 403.105 to 403.250 and rules
18 adopted by the Office of Emergency Management. The 9-1-1 jurisdic-
19 tion shall submit the 9-1-1 jurisdiction plan to:**

20 **“(a) The office;**

21 **“(b) Public and private safety agencies within the 9-1-1 service area;
22 and**

23 **“(c) Any other public or private entity within the 9-1-1 service area
24 that may be affected.**

25 **“(2) The 9-1-1 jurisdiction plan must describe the capital and re-
26 curring costs to provide the components of the emergency communi-
27 cations system within the 9-1-1 service area.**

28 **“(3) The office shall review the 9-1-1 jurisdiction plan for compliance
29 with the requirements imposed under ORS 403.105 to 403.250 and rules
30 adopted by the office, and if the plan is:**

1 “(a) In compliance, the office shall approve the plan.

2 “(b) Not in compliance, the office shall reject the plan.

3 “(4) If the office rejects the 9-1-1 jurisdiction plan under subsection
4 (3) of this section:

5 “(a) The 9-1-1 jurisdiction shall revise and resubmit the plan within
6 90 days after the date the office rejects the plan; and

7 “(b) The office shall review the revised plan and either approve or
8 reject the revised plan within 90 days after the date the office receives
9 the revised plan.

10 “[(1)] (5) Each 9-1-1 jurisdiction shall submit to the Office of Emergency
11 Management in writing within 30 days any change to [*the 9-1-1 emergency*
12 *telephone system*] a **public safety answering point** that alters the [*final*
13 *plan or system description*] **approved 9-1-1 jurisdiction plan** on file with the
14 office. The changes may include, but are not limited to:

15 “(a) The address of the public safety answering point;

16 “(b) Telephone numbers used to satisfy requirements set forth in ORS
17 403.115;

18 “(c) Director changes;

19 “(d) Agencies served by the 9-1-1 jurisdiction; and

20 “(e) The method used to direct [*the 9-1-1*] **an emergency** call once re-
21 ceived by the primary public safety answering point.

22 “[(2)] (6) If an established 9-1-1 jurisdiction proposes to move [*its 9-1-1*
23 *emergency reporting system from one*] a public safety answering point to an-
24 other **location** or a governing body proposes to establish a new 9-1-1 juris-
25 diction with a new primary public safety answering point, and if either of
26 these proposals will result in control of the [*9-1-1 emergency reporting*
27 *system*] **9-1-1 service area** by an agency or agencies other than [*as*] **the**
28 **agency or agencies** identified in the [*final plan approved by the office under*
29 *ORS 401.750 (1987 Replacement Part), section 7, chapter 743, Oregon Laws*
30 *1991, or the system description filed with the office under ORS 401.750 (5)*

1 (1987 Replacement Part)] **approved 9-1-1 jurisdiction plan filed with the**
2 **office**, the 9-1-1 jurisdiction or governing body shall submit a **revised 9-1-1**
3 **jurisdiction** plan setting forth [*these*] **the** changes to:

4 “(a) The Office of Emergency Management;

5 “(b) Public and private safety agencies in the 9-1-1 service area; and

6 “(c) [*Utilities which provide telephone service*] **Any other public or pri-**
7 **vate entity** in the 9-1-1 service area **that may be affected.**

8 “[*3*] (7) In addition to meeting the requirements [*of ORS 403.115*] **im-**
9 **posed under ORS 403.105 to 403.250** and rules adopted pursuant to ORS
10 403.120, the revised [*final*] **9-1-1 jurisdiction** plan must describe the capital
11 and recurring costs for the proposed [*9-1-1 emergency reporting system*]
12 **components of the emergency communications system within the 9-1-1**
13 **service area.**

14 “[*4*] (8) The office shall review the revised [*final*] **9-1-1 jurisdiction** plan
15 for compliance with [*this section, ORS 403.115*] **the requirements imposed**
16 **under ORS 403.105 to 403.250** and rules adopted pursuant to ORS 403.120
17 and, if the office determines that the plan is in compliance, approve the plan.

18 “[*5*] (9) The office may not approve a revised [*final*] **9-1-1 jurisdiction**
19 plan submitted under **subsection (6)** of this section unless the **revised** plan
20 is accompanied by written approval of the governing bodies of all public and
21 private safety agencies affected by or providing service in the 9-1-1 service
22 area.”.

23 In line 40, restore the bracketed material and delete the boldfaced mate-
24 rial.

25 On page 11, delete lines 25 through 27 and insert:

26 “**SECTION 14.** ORS 403.145 is amended to read:

27 “403.145. All public safety answering points must be capable of receiving
28 [*9-1-1*] emergency calls **through a TTY or other device capable of re-**
29 **ceiving an emergency call** from individuals with hearing or speech
30 impairments [*through a TTY*].”.

1 On page 16, line 8, after “(h)” insert “An employee of a 9-1-1
2 jurisdiction”.

3 On page 17, delete lines 15 through 21 and insert:

4 **“SECTION 26.** ORS 403.300 is amended to read:

5 “403.300. As used in ORS 403.300 to 403.380, unless the context requires
6 otherwise:

7 “(1) ‘District’ means a 9-1-1 communications district formed under ORS
8 403.300 to 403.380.

9 “(2) ‘District board’ or ‘board’ means the governing body of a district.

10 “[3] ‘9-1-1 emergency reporting system’ means a system established under
11 ORS 403.115.]

12 “[4] (3) ‘9-1-1 jurisdiction’ has the meaning given that term [by] in ORS
13 403.105.

14 “[5] (4) ‘Public or private safety agency’ has the meaning given that
15 term [by] in ORS 403.105.”.

16
