

FIRST REGULAR SESSION  
[TRULY AGREED TO AND FINALLY PASSED]  
SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR

# SENATE BILL NO. 291

100TH GENERAL ASSEMBLY

2019

1139S.09T

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## AN ACT

To repeal sections 190.292, 190.327, 190.335, 190.455, 190.460, and 650.330, RSMo, and to enact in lieu thereof seven new sections relating to emergency communication services, with an emergency clause.

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*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Sections 190.292, 190.327, 190.335, 190.455, 190.460, and  
2 650.330, RSMo, are repealed and seven new sections enacted in lieu thereof, to  
3 be known as sections 190.292, 190.327, 190.335, 190.455, 190.460, 190.462, and  
4 650.330, to read as follows:

190.292. 1. In lieu of the tax levy authorized under section 190.305 for  
2 emergency telephone services, the county commission of any county may impose  
3 a county sales tax for the provision of central dispatching of fire protection,  
4 including law enforcement agencies, emergency ambulance service or any other  
5 emergency services, including emergency telephone services, which shall be  
6 collectively referred to herein as "emergency services", and which may also  
7 include the purchase and maintenance of communications and emergency  
8 equipment, including the operational costs associated therein, in accordance with  
9 the provisions of this section.

10 2. Such county commission may, by a majority vote of its members, submit  
11 to the voters of the county, at a public election, a proposal to authorize the county  
12 commission to impose a tax under the provisions of this section. If the residents  
13 of the county present a petition signed by a number of residents equal to ten  
14 percent of those in the county who voted in the most recent gubernatorial

**EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

15 election, then the commission shall submit such a proposal to the voters of the  
16 county.

17 3. The ballot of submission shall be in substantially the following form:

18           Shall the county of \_\_\_\_\_ (insert name of county) impose a  
19           county sales tax of \_\_\_\_\_ (insert rate of percent) percent for the  
20           purpose of providing central dispatching of fire protection,  
21           emergency ambulance service, including emergency telephone  
22           services, and other emergency services?

23                            YES                            NO

24 If a majority of the votes cast on the proposal by the qualified voters voting  
25 thereon are in favor of the proposal, then the ordinance shall be in effect as  
26 provided herein. If a majority of the votes cast by the qualified voters voting are  
27 opposed to the proposal, then the county commission shall have no power to  
28 impose the tax authorized by this section unless and until the county commission  
29 shall again have submitted another proposal to authorize the county commission  
30 to impose the tax under the provisions of this section, and such proposal is  
31 approved by a majority of the qualified voters voting thereon.

32 4. The sales tax may be imposed at a rate not to exceed one percent on the  
33 receipts from the sale at retail of all tangible personal property or taxable  
34 services at retail within any county adopting such tax, if such property and  
35 services are subject to taxation by the state of Missouri under the provisions of  
36 sections 144.010 to 144.525. The sales tax shall not be collected prior to thirty-six  
37 months before operation of the central dispatching of emergency services.

38 5. Except as modified in this section, all provisions of sections 32.085 and  
39 32.087 shall apply to the tax imposed under this section.

40 6. Any tax imposed pursuant to section 190.305 shall terminate at the end  
41 of the tax year in which the tax imposed pursuant to this section for emergency  
42 services is certified by the board to be fully operational. Any revenues collected  
43 from the tax authorized under section 190.305 shall be credited for the purposes  
44 for which they were intended.

45 7. At least once each calendar year, the board, as established by  
46 subsection 11 of this section, shall establish a tax rate, not to exceed the amount  
47 authorized, that together with any surplus revenues carried forward will produce  
48 sufficient revenues to fund the expenditures authorized by sections 190.290 to  
49 190.296. Amounts collected in excess of that necessary within a given year shall  
50 be carried forward to subsequent years. The board shall make its determination  
51 of such tax rate each year no later than September first and shall fix the new rate

52 which shall be collected as provided in sections 190.290 to 190.296. Immediately  
53 upon making its determination and fixing the rate, the board shall publish in its  
54 minutes the new rate, and it shall notify every retailer by mail of the new rate.

55         8. Immediately upon the affirmative vote of voters of such a county on the  
56 ballot proposal to establish a county sales tax pursuant to the provisions of this  
57 section, the county commission shall appoint the initial members of a board to  
58 administer the funds and oversee the provision of emergency services in the  
59 county. Beginning with the general election in 1994, all board members shall be  
60 elected according to this section and other applicable laws of this state. At the  
61 time of the appointment of the initial members of the board, the commission shall  
62 relinquish and no longer exercise the duties prescribed in this chapter with  
63 regard to the provision of emergency services and such duties shall be exercised  
64 by the board.

65         9. The initial board shall consist of seven members appointed without  
66 regard to political affiliation, three of whom shall be selected from, and who shall  
67 represent, the fire protection districts, ambulance districts, sheriff's department,  
68 municipalities, and any other emergency services. Four of the members of the  
69 board shall not be selected from or represent the fire protection districts,  
70 ambulance districts, sheriff's department, municipalities, or any other emergency  
71 services. Any individual serving on the board on August 28, 2004, may continue  
72 to serve and seek reelection or reappointment to the board, notwithstanding any  
73 provisions of this subsection. This initial board shall serve until its successor  
74 board is duly elected and installed in office. The commission shall ensure  
75 geographic representation of the county by appointing no more than four members  
76 from each district of the county commission.

77         10. Beginning in 1994, three members shall be elected from each district  
78 of the county commission and one member shall be elected at large. The members  
79 of the board shall annually elect, from among their number, the chairman of the  
80 board. Of those first elected, four members from districts of the county  
81 commission shall be elected for terms of two years and two members from  
82 districts of the county commission and the member at large shall be elected for  
83 terms of four years. In 1996, and thereafter, all terms of office shall be four  
84 years. The election of the board members shall be conducted at the first  
85 municipal election held in a calendar year.

86         11. When the board is organized, it shall be a body corporate and a  
87 political subdivision of the state and shall be known as the "\_\_\_\_\_ Emergency  
88 Services Board".

89           12. This section shall only apply to any county of the third classification  
90 without a township form of government and with more than twenty-four thousand  
91 five hundred but less than twenty-four thousand six hundred inhabitants.

92           **13. A purchase that provides prepaid wireless**  
93 **telecommunications service, as such term is defined in section 190.460,**  
94 **is specifically exempted from the tax imposed under this section or**  
95 **section 190.335 if such county did not prohibit the prepaid wireless**  
96 **emergency telephone service charge as allowed in subsection 6 of**  
97 **section 190.460 or votes to impose the prepaid wireless emergency**  
98 **telephone service charge as allowed under subsection 7 of section**  
99 **190.460.**

190.327. 1. Immediately upon the decision by the commission to utilize  
2 a portion of the emergency telephone tax for central dispatching and an  
3 affirmative vote of the telephone tax, the commission shall appoint the initial  
4 members of a board which shall administer the funds and oversee the provision  
5 of central dispatching for emergency services in the county and in municipalities  
6 and other political subdivisions which have contracted for such  
7 service. Beginning with the general election in 1992, all board members shall be  
8 elected according to this section and other applicable laws of this state. At the  
9 time of the appointment of the initial members of the board, the commission shall  
10 relinquish to the board and no longer exercise the duties prescribed in this  
11 chapter with regard to the provision of emergency telephone service and in  
12 chapter 321, with regard to the provision of central dispatching service, and such  
13 duties shall be exercised by the board.

14           2. Elections for board members may be held on general municipal election  
15 day, as defined in subsection 3 of section 115.121, after approval by a simple  
16 majority of the county commission.

17           3. For the purpose of providing the services described in this section, the  
18 board shall have the following powers, authority and privileges:

19           (1) To have and use a corporate seal;

20           (2) To sue and be sued, and be a party to suits, actions and proceedings;

21           (3) To enter into contracts, franchises and agreements with any person,  
22 partnership, association or corporation, public or private, affecting the affairs of  
23 the board;

24           (4) To acquire, construct, purchase, maintain, dispose of and encumber  
25 real and personal property, including leases and easements;

26           (5) To have the management, control and supervision of all the business

27 affairs of the board and the construction, installation, operation and maintenance  
28 of any improvements;

29 (6) To hire and retain agents and employees and to provide for their  
30 compensation including health and pension benefits;

31 (7) To adopt and amend bylaws and any other rules and regulations;

32 (8) To fix, charge and collect the taxes and fees authorized by law for the  
33 purpose of implementing and operating the services described in this section;

34 (9) To pay all expenses connected with the first election and all  
35 subsequent elections; and

36 (10) To have and exercise all rights and powers necessary or incidental  
37 to or implied from the specific powers granted in this subsection. Such specific  
38 powers shall not be considered as a limitation upon any power necessary or  
39 appropriate to carry out the purposes and intent of sections 190.300 to 190.329.

40 4. (1) Notwithstanding the provisions of subsections 1 and 2 of this  
41 section to the contrary, the county commission may elect to appoint the members  
42 of the board to administer the funds and oversee the provision of central  
43 dispatching for emergency services in the counties, municipalities, and other  
44 political subdivisions which have contracted for such service upon the request of  
45 the municipalities and other political subdivisions. Upon appointment of the  
46 initial members of the board, the commission shall relinquish all powers and  
47 duties to the board and no longer exercise the duties prescribed in this chapter  
48 with regard to the provision of central dispatching service and such duties shall  
49 be exercised by the board.

50 (2) The board shall consist of seven members appointed without regard  
51 to political affiliation. The members shall include:

52 (a) Five members who shall serve for so long as they remain in their  
53 respective county or municipal positions as follows:

54 a. The county sheriff, or his or her designee;

55 b. The heads of the municipal police department who have contracted for  
56 central dispatching service in the two largest municipalities wholly contained  
57 within the county, or their designees; or

58 c. The heads of the municipal fire departments or fire divisions who have  
59 contracted for central dispatching service in the two largest municipalities wholly  
60 contained within the county, or their designees;

61 (b) Two members who shall serve two-year terms appointed from among  
62 the following:

63 a. The head of any of the county's fire protection districts who have

64 contracted for central dispatching service, or his or her designee;

65 b. The head of any of the county's ambulance districts who have  
66 contracted for central dispatching service, or his or her designee;

67 c. The head of any of the municipal police departments located in the  
68 county who have contracted for central dispatching service, or his or her designee,  
69 excluding those mentioned in subparagraph b. of paragraph (a) of this  
70 subdivision; and

71 d. The head of any of the municipal fire departments in the county who  
72 have contracted for central dispatching service, or his or her designee, excluding  
73 those mentioned in subparagraph c. of paragraph (a) of this subdivision.

74 (3) Upon the appointment of the board under this subsection, the board  
75 shall have the powers provided in subsection 3 of this section and the commission  
76 shall relinquish all powers and duties relating to the provision of central  
77 dispatching service under this chapter to the board.

78 **5. An emergency services board originally organized under**  
79 **section 190.325 operating within a county with a charter form of**  
80 **government and with more than two hundred thousand but fewer than**  
81 **three hundred fifty thousand inhabitants shall not have a sales tax for**  
82 **emergency services or for providing central dispatching for emergency**  
83 **services greater than one-quarter of one percent. If on the effective**  
84 **date of this section such tax is greater than one-quarter of one percent,**  
85 **the board shall lower the tax rate.**

190.335. 1. In lieu of the tax levy authorized under section 190.305 for  
2 emergency telephone services, the county commission of any county may impose  
3 a county sales tax for the provision of central dispatching of fire protection,  
4 including law enforcement agencies, emergency ambulance service or any other  
5 emergency services, including emergency telephone services, which shall be  
6 collectively referred to herein as "emergency services", and which may also  
7 include the purchase and maintenance of communications and emergency  
8 equipment, including the operational costs associated therein, in accordance with  
9 the provisions of this section.

10 2. Such county commission may, by a majority vote of its members, submit  
11 to the voters of the county, at a public election, a proposal to authorize the county  
12 commission to impose a tax under the provisions of this section. If the residents  
13 of the county present a petition signed by a number of residents equal to ten  
14 percent of those in the county who voted in the most recent gubernatorial  
15 election, then the commission shall submit such a proposal to the voters of the

16 county.

17 3. The ballot of submission shall be in substantially the following form:

18            Shall the county of \_\_\_\_\_ (insert name of county) impose a  
19            county sales tax of \_\_\_\_\_ (insert rate of percent) percent for the  
20            purpose of providing central dispatching of fire protection,  
21            emergency ambulance service, including emergency telephone  
22            services, and other emergency services?

23                             YES

NO

24 If a majority of the votes cast on the proposal by the qualified voters voting  
25 thereon are in favor of the proposal, then the ordinance shall be in effect as  
26 provided herein. If a majority of the votes cast by the qualified voters voting are  
27 opposed to the proposal, then the county commission shall have no power to  
28 impose the tax authorized by this section unless and until the county commission  
29 shall again have submitted another proposal to authorize the county commission  
30 to impose the tax under the provisions of this section, and such proposal is  
31 approved by a majority of the qualified voters voting thereon.

32 4. The sales tax may be imposed at a rate not to exceed one percent on the  
33 receipts from the sale at retail of all tangible personal property or taxable  
34 services at retail within any county adopting such tax, if such property and  
35 services are subject to taxation by the state of Missouri under the provisions of  
36 sections 144.010 to 144.525. The sales tax shall not be collected prior to thirty-six  
37 months before operation of the central dispatching of emergency services.

38 5. Except as modified in this section, all provisions of sections 32.085 and  
39 32.087 shall apply to the tax imposed under this section.

40 6. Any tax imposed pursuant to section 190.305 shall terminate at the end  
41 of the tax year in which the tax imposed pursuant to this section for emergency  
42 services is certified by the board to be fully operational. Any revenues collected  
43 from the tax authorized under section 190.305 shall be credited for the purposes  
44 for which they were intended.

45 7. At least once each calendar year, the board shall establish a tax rate,  
46 not to exceed the amount authorized, that together with any surplus revenues  
47 carried forward will produce sufficient revenues to fund the expenditures  
48 authorized by this act. Amounts collected in excess of that necessary within a  
49 given year shall be carried forward to subsequent years. The board shall make  
50 its determination of such tax rate each year no later than September first and  
51 shall fix the new rate which shall be collected as provided in this  
52 act. Immediately upon making its determination and fixing the rate, the board

53 shall publish in its minutes the new rate, and it shall notify every retailer by  
54 mail of the new rate.

55         8. Immediately upon the affirmative vote of voters of such a county on the  
56 ballot proposal to establish a county sales tax pursuant to the provisions of this  
57 section, the county commission shall appoint the initial members of a board to  
58 administer the funds and oversee the provision of emergency services in the  
59 county. Beginning with the general election in 1994, all board members shall be  
60 elected according to this section and other applicable laws of this state. At the  
61 time of the appointment of the initial members of the board, the commission shall  
62 relinquish and no longer exercise the duties prescribed in this chapter with  
63 regard to the provision of emergency services and such duties shall be exercised  
64 by the board.

65         9. The initial board shall consist of seven members appointed without  
66 regard to political affiliation, who shall be selected from, and who shall represent,  
67 the fire protection districts, ambulance districts, sheriff's department,  
68 municipalities, any other emergency services and the general public. This initial  
69 board shall serve until its successor board is duly elected and installed in  
70 office. The commission shall ensure geographic representation of the county by  
71 appointing no more than four members from each district of the county  
72 commission.

73         10. Beginning in 1994, three members shall be elected from each district  
74 of the county commission and one member shall be elected at large, such member  
75 to be the chairman of the board. Of those first elected, four members from  
76 districts of the county commission shall be elected for terms of two years and two  
77 members from districts of the county commission and the member at large shall  
78 be elected for terms of four years. In 1996, and thereafter, all terms of office  
79 shall be four years; provided that, if a board established under this section  
80 consolidates with a board established under this section, section 190.327, or  
81 section 190.328, under the provisions of section 190.470, the term of office for the  
82 existing board members shall end on the thirtieth day following the appointment  
83 of the initial board of directors for the consolidated district. Notwithstanding any  
84 other provision of law, if there is no candidate for an open position on the board,  
85 then no election shall be held for that position and it shall be considered vacant,  
86 to be filled pursuant to the provisions of section 190.339, and, if there is only one  
87 candidate for each open position, no election shall be held and the candidate or  
88 candidates shall assume office at the same time and in the same manner as if  
89 elected.



90           11. Notwithstanding the provisions of subsections 8 to 10 of this section  
91 to the contrary, in any county of the first classification with more than two  
92 hundred forty thousand three hundred but fewer than two hundred forty  
93 thousand four hundred inhabitants or in any county of the third classification  
94 with a township form of government and with more than twenty-eight thousand  
95 but fewer than thirty-one thousand inhabitants or in any county of the third  
96 classification without a township form of government and with more than  
97 thirty-seven thousand but fewer than forty-one thousand inhabitants and with a  
98 city of the fourth classification with more than four thousand five hundred but  
99 fewer than five thousand inhabitants as the county seat, any emergency  
100 telephone service 911 board appointed by the county under section 190.309 which  
101 is in existence on the date the voters approve a sales tax under this section shall  
102 continue to exist and shall have the powers set forth under section 190.339. Such  
103 boards which existed prior to August 25, 2010, shall not be considered a body  
104 corporate and a political subdivision of the state for any purpose, unless and until  
105 an order is entered upon an unanimous vote of the commissioners of the county  
106 in which such board is established reclassifying such board as a corporate body  
107 and political subdivision of the state. The order shall approve the transfer of the  
108 assets and liabilities related to the operation of the emergency telephone service  
109 911 system to the new entity created by the reclassification of the board.

110           12. (1) Notwithstanding the provisions of subsections 8 to 10 of this  
111 section to the contrary, in any county of the second classification with more than  
112 fifty-four thousand two hundred but fewer than fifty-four thousand three hundred  
113 inhabitants or any county of the first classification with more than fifty thousand  
114 but fewer than seventy thousand inhabitants that has approved a sales tax under  
115 this section, the county commission shall appoint the members of the board to  
116 administer the funds and oversee the provision of emergency services in the  
117 county.

118           (2) The board shall consist of seven members appointed without regard  
119 to political affiliation. Except as provided in subdivision (4) of this subsection,  
120 each member shall be one of the following:

121           (a) The head of any of the county's fire protection districts, or a designee;

122           (b) The head of any of the county's ambulance districts, or a designee;

123           (c) The county sheriff, or a designee;

124           (d) The head of any of the police departments in the county, or a designee;

125 and

126           (e) The head of any of the county's emergency management organizations,

127 or a designee.

128 (3) Upon the appointment of the board under this subsection, the board  
129 shall have the power provided in section 190.339 and shall exercise all powers  
130 and duties exercised by the county commission under this chapter, and the  
131 commission shall relinquish all powers and duties relating to the provision of  
132 emergency services under this chapter to the board.

133 (4) In any county of the first classification with more than fifty thousand  
134 but fewer than seventy thousand inhabitants, each of the entities listed in  
135 subdivision (2) of this subsection shall be represented on the board by at least one  
136 member.

137 (5) In any county with more than fifty thousand but fewer than seventy  
138 thousand inhabitants and with a county seat with more than two thousand one  
139 hundred but fewer than two thousand four hundred inhabitants, the entities  
140 listed in subdivision (2) of this subsection shall be represented by one member,  
141 and two members shall be residents of the county not affiliated with any of the  
142 entities listed in subdivision (2) of this subsection and shall be known as public  
143 members.

144 13. Any county that has authorized a tax levy under this section **prior**  
145 **to January 1, 2012**, and such levy is reduced automatically [in future years]  
146 **after approval of such levy**, shall not submit to the voters of the county for  
147 approval any proposal authorized under this section that is greater than the  
148 amount at the time of reduction.

149 **14. A purchase that provides prepaid wireless**  
150 **telecommunications service, as such term is defined in section 190.460,**  
151 **is specifically exempted from the tax imposed under this section or**  
152 **section 190.292 if such county did not prohibit the prepaid wireless**  
153 **emergency telephone service charge as allowed in subsection 6 of**  
154 **section 190.460 or votes to impose the prepaid wireless emergency**  
155 **telephone service charge as allowed under subsection 7 of section**  
156 **190.460.**

190.455. 1. Except as provided under subsection [9] 10 of this section, in  
2 lieu of the tax levy authorized under section 190.305 or 190.325, or the sales tax  
3 imposed under section 190.292 or 190.335, the governing body of any county, city  
4 not within a county, or home rule city with more than fifteen thousand but fewer  
5 than seventeen thousand inhabitants and partially located in any county of the  
6 third classification without a township form of government and with more than  
7 thirty-seven thousand but fewer than forty-one thousand inhabitants may impose,

8 by order or ordinance, a monthly fee on subscribers of any communications  
9 service that has been enabled to contact 911. The monthly fee authorized in this  
10 section shall not exceed one dollar and shall be assessed to the subscriber of the  
11 communications service, regardless of technology, based upon the number of  
12 active telephone numbers, or their functional equivalents or successors, assigned  
13 by the provider and capable of simultaneously contacting the public safety  
14 answering point; provided that, for multiline telephone systems and for facilities  
15 provisioned with capacity greater than a voice-capable grade channel or its  
16 equivalent, regardless of technology, the charge shall be assessed on the number  
17 of voice-capable grade channels as provisioned by the provider that allow  
18 simultaneous contact with the public safety answering point. Only one fee may  
19 be assessed per active telephone number, or its functional equivalent or successor,  
20 used to provide a communications service. No fee imposed under this section  
21 shall be imposed on more than one hundred voice-grade channels or their  
22 equivalent per person per location. Notwithstanding any provision of this section  
23 to the contrary, the monthly fee shall not be assessed on the provision of  
24 broadband internet access service. The fee shall be imposed solely for the  
25 purpose of funding 911 service in such county or city. The monthly fee authorized  
26 in this section shall be limited to one fee per device. The fee authorized in this  
27 section shall be in addition to all other taxes and fees imposed by law and may  
28 be stated separately from all other charges and taxes. The fee shall be the  
29 liability of the subscriber, not the provider, except that the provider shall be  
30 liable to remit all fees that the provider collects under this section.

31 2. No such order or ordinance adopted under this section shall become  
32 effective unless the governing body of the county or city submits to the voters  
33 residing within the county or city at a state general, primary, or special election  
34 a proposal to authorize the governing body to impose a fee under this  
35 section. The question submitted shall be in substantially the following form:

36 "Shall \_\_\_\_\_ (insert name of county or city) impose a  
37 monthly fee of \_\_\_\_\_ (insert amount) on a subscriber of any  
38 communications service that has been enabled to contact 911 for  
39 the purpose of funding 911 service in the \_\_\_\_\_ (county or  
40 city)?"

41 If a majority of the votes cast on the question by the qualified voters voting  
42 thereon are in favor of the question, the fee shall become effective on the first day  
43 of the second calendar quarter after the director of revenue receives notification  
44 of adoption of the fee. If a majority of the votes cast on the question by the

45 qualified voters voting thereon are opposed to the question, the fee shall not  
46 become effective unless and until the question is resubmitted under this section  
47 to the qualified voters and such question is approved by a majority of the  
48 qualified voters voting on the question.

49 **3. Notwithstanding any provisions of this section to the contrary,**  
50 **the governing body of a county with a charter form of government and**  
51 **with more than six hundred thousand but fewer than seven hundred**  
52 **thousand inhabitants shall put the question set forth in subsection 2 of**  
53 **this section before the voters of the county no later than the general**  
54 **election in 2020.**

55 4. Except as modified in this section, all provisions of sections 32.085 and  
56 32.087 and subsection 7 of section 144.190 shall apply to the fee imposed under  
57 this section.

58 [4.] 5. All revenue collected under this section by the director of the  
59 department of revenue on behalf of the county or city, except for two percent to  
60 be withheld by the provider for the cost of administering the collection and  
61 remittance of the fee, and one percent for the cost of collection which shall be  
62 deposited in the state's general revenue fund, shall be deposited in the Missouri  
63 911 service trust fund created under section 190.420. The director of the  
64 department of revenue shall remit such funds to the county or city on a monthly  
65 basis. The governing body of any such county or city shall control such funds  
66 remitted to the county or city unless the county or city has established an elected  
67 board for the purpose of administering such funds. In the event that any county  
68 or city has established a board under any other provision of state law for the  
69 purpose of administering funds for 911 service, such existing board may continue  
70 to perform such functions after the county or city has adopted the monthly fee  
71 under this section.

72 [5.] 6. Nothing in this section imposes any obligation upon a provider of  
73 a communications service to take any legal action to enforce the collection of the  
74 tax imposed in this section. The tax shall be collected in compliance, as  
75 applicable, with the federal Mobile Telecommunications Sourcing Act, 4 U.S.C.  
76 Sections 116 to 124, as amended.

77 [6.] 7. Notwithstanding any other provision of law to the contrary,  
78 proprietary information submitted under this section shall only be subject to  
79 subpoena or lawful court order. Information collected under this section shall  
80 only be released or published in aggregate amounts that do not identify or allow  
81 identification of numbers of subscribers or revenues attributable to an individual

82 communications service provider.

83 [7.] 8. Notwithstanding any other provision of law to the contrary, in no  
84 event shall any communications service provider, its officers, employees, assigns,  
85 agents, vendors, or anyone acting on behalf of such persons, be liable for any form  
86 of civil damages or criminal liability that directly or indirectly results from, or is  
87 caused by:

88 (1) An act or omission in the development, design, installation, operation,  
89 maintenance, performance, or provision of service to a public safety answering  
90 point or to subscribers that use such service, whether providing such service is  
91 required by law or is voluntary; or

92 (2) The release of subscriber information to any governmental entity  
93 under this section unless such act, release of subscriber information, or omission  
94 constitutes gross negligence, recklessness, or intentional misconduct.

95 Nothing in this section is intended to void or otherwise override any contractual  
96 obligation pertaining to equipment or services sold to a public safety answering  
97 point by a communications service provider. No cause of action shall lie in any  
98 court of law against any provider of communications service, commercial mobile  
99 service, or other communications-related service, or its officers, employees,  
100 assignees, agents, vendors, or anyone acting on behalf of such persons, for  
101 providing call location information concerning the user of any such service in an  
102 emergency situation to a law enforcement official or agency in order to respond  
103 to a call for emergency service by a subscriber, customer, or user of such service  
104 or for providing caller location information or doing a ping locate in an emergency  
105 situation that involves danger of death or serious physical injury to any person  
106 where disclosure of communications relating to the emergency is required without  
107 delay, whether such provision of information is required by law or voluntary.

108 [8.] 9. The fee imposed under this section shall not be imposed on  
109 customers who pay for service prospectively, including customers of prepaid  
110 wireless telecommunications service.

111 [9.] 10. The fee imposed under this section shall not be imposed in  
112 conjunction with any tax imposed under section 190.292, 190.305, 190.325, or  
113 190.335. No county or city shall simultaneously impose more than one tax  
114 authorized in this section or section 190.292, 190.305, 190.325, or 190.335. No  
115 fee imposed under this section shall be imposed on more than one hundred  
116 exchange access facilities or their equivalent per person per location. The fee  
117 imposed under this section shall not be imposed in conjunction with any tax  
118 imposed for central dispatching of emergency services in any home rule city with

119 more than four hundred thousand inhabitants and located in more than one  
120 county or any county containing a portion of such city, and such city or counties  
121 shall not simultaneously impose more than one tax or fee for central dispatching  
122 of emergency services; provided however, if any such county approves the fee  
123 authorized under this section, collection of such fee shall be in lieu of any tax  
124 authorized for central dispatching of emergency services in the county and any  
125 portion of the city within the county.

126 [10.] 11. No county or legally authorized entity shall submit a proposal  
127 to the voters of the county under this section or section 190.335 until either:

128 (1) All providers of emergency telephone service as defined in section  
129 190.300 and public safety answering point operations within the county are  
130 consolidated into one public agency as defined in section 190.300 that provides  
131 emergency telephone service for the county, or such providers and the public  
132 safety answering point have entered into a shared services agreement for such  
133 services;

134 (2) The county develops a plan for consolidation of emergency telephone  
135 service, as defined in section 190.300, and public safety answering point  
136 operations within the county are consolidated into one public agency, as defined  
137 in section 190.300, that provides emergency telephone service for the county; or

138 (3) The county emergency services board, as defined in section 190.290,  
139 develops a plan for consolidation of emergency telephone service, as defined in  
140 section 190.300, and public safety answering point operations within the county  
141 that includes either consolidation or entering into a shared services agreement  
142 for such services, which shall be implemented on approval of the fee by the  
143 voters.

144 [11.] 12. Any plan developed under subdivision (2) or (3) of subsection  
145 [10] 11 of this section shall be filed with the Missouri 911 service board under  
146 subsection 4 of section 650.330. Any plan that is filed under this subsection shall  
147 provide for the establishment of a joint emergency communications board as  
148 described in section 70.260 unless a joint emergency communication board or  
149 emergency services board for the area in question has been previously  
150 established. The director of the department of revenue shall not remit any funds  
151 as provided under this section until the department receives notification from the  
152 Missouri 911 service board that the county has filed a plan that is ready for  
153 implementation. If, after one year following the enactment of the fee described  
154 in subsection 1 of this section, the county has not complied with the plan that the  
155 county submitted under subdivision (2) or (3) of subsection [10] 11 of this section,

156 but the county has substantially complied with the plan, the Missouri 911 service  
157 board may grant the county an extension of up to six months to comply with its  
158 plan. Not more than one extension may be granted to a county. The authority  
159 to impose the fee granted to the county in subsection 1 of this section shall be  
160 null and void if after one year following the enactment of the fee described in  
161 subsection 1 of this section the county has not complied with the plan and has not  
162 been granted an extension by the Missouri 911 service board, or if the six-month  
163 extension expires and the county has not complied with the plan.

164 [12.] **13.** Each county that does not have a public agency, as defined in  
165 section 190.300, that provides emergency telephone service as defined in section  
166 190.300 for the county shall either:

167 (1) Enter into a shared-services agreement for providing emergency  
168 telephone services with a public agency that provides emergency telephone  
169 service, if such an agreement is feasible; or

170 (2) Form with one or more counties an emergency telephone services  
171 district in conjunction with any county with a public agency that provides  
172 emergency telephone service within the county. If such a district is formed under  
173 this subdivision, the governing body of such district shall be the county  
174 commissioners of each county within the district, and each county within such  
175 district shall submit to the voters of the county a proposal to impose the fee under  
176 this section.

177 [13.] **14.** A county operating joint or shared emergency telephone service,  
178 as defined in section 190.300, may submit to the voters of the county a proposal  
179 to impose the fee to support joint operations and further consolidation under this  
180 section.

181 [14.] **15.** All 911 fees shall be imposed as provided in the Mobile  
182 Telecommunications Sourcing Act, 4 U.S.C. Sections 116 to 124, as amended.

183 [15.] **16.** Nothing in subsections [10,] 11, 12, [and] 13, **and 14** of this  
184 section shall apply to a county with a charter form of government where all public  
185 safety answering points within the county utilize a common 911 communication  
186 service as implemented by the appropriate local and county agencies prior to  
187 August 28, 2018.

188 [16.] **17.** Any home rule city with more than four hundred thousand  
189 inhabitants and located in more than one county and any county in which it is  
190 located shall establish an agreement regarding the allocation of anticipated  
191 revenue created upon passage of a ballot proposition submitted to the voters as  
192 provided for in sections 190.292, 190.305, 190.325, 190.335, and 190.455, as well

193 as revenue provided based upon section 190.460 and the divided costs related to  
194 regional 911 services. The allocation and actual expenses of the regional 911  
195 service shall be determined based upon the percentage of residents of each county  
196 who also reside in the home rule city. The agreement between the counties and  
197 the home rule city may either be between the individual counties and the home  
198 rule city or jointly between all entities. The agreement to divide costs and  
199 revenue as required in this section shall not take effect until the passage of a  
200 ballot proposition as provided for in section 190.292, 190.305, 190.325, 190.335,  
201 or 190.455. The population shall be determined based upon the most recent  
202 decennial census. This subsection shall not apply to a county of the first  
203 classification without a charter form of government and with less than five  
204 percent of its population living in any home rule city with more than four  
205 hundred thousand inhabitants and located in more than one county.

190.460. 1. As used in this section, the following terms mean:

- 2 (1) "Board", the Missouri 911 service board established under section  
3 650.325;
- 4 (2) "Consumer", a person who purchases prepaid wireless  
5 telecommunications service in a retail transaction;
- 6 (3) "Department", the department of revenue;
- 7 (4) "Prepaid wireless service provider", a provider that provides prepaid  
8 wireless service to an end user;
- 9 (5) "Prepaid wireless telecommunications service", a wireless  
10 telecommunications service that allows a caller to dial 911 to access the 911  
11 system and which service shall be paid for in advance and is sold in  
12 predetermined units or dollars of which the number declines with use in a known  
13 amount;
- 14 (6) "Retail transaction", the purchase of prepaid wireless  
15 telecommunications service from a seller for any purpose other than resale. The  
16 purchase of more than one item that provides prepaid wireless telecommunication  
17 service, when such items are sold separately, constitutes more than one retail  
18 transaction;
- 19 (7) "Seller", a person who sells prepaid wireless telecommunications  
20 service to another person;
- 21 (8) "Wireless telecommunications service", commercial mobile radio service  
22 as defined by 47 CFR 20.3, as amended.

23 2. (1) Beginning January 1, 2019, there is hereby imposed a prepaid  
24 wireless emergency telephone service charge on each retail transaction. The



25 amount of such charge shall be equal to three percent of the amount of each retail  
26 transaction [over the minimal amount. However, if a minimal amount of prepaid  
27 wireless telecommunications service is sold with a prepaid wireless device for a  
28 single nonitemized price, the seller may elect not to apply such service charge to  
29 such transaction. For purposes of this subdivision, an amount of service  
30 denominated as less than fifteen dollars is minimal]. **The first fifteen dollars**  
31 **of each retail transaction shall not be subject to the service charge.**

32 (2) **When prepaid wireless telecommunications service is sold**  
33 **with one or more products or services for a single, non-itemized price,**  
34 **the prepaid wireless emergency telephone service charge set forth in**  
35 **subdivision (1) of this subsection shall apply to the entire non-itemized**  
36 **price unless the seller elects to apply such service charge in the**  
37 **following way:**

38 (a) **If the amount of the prepaid wireless telecommunications**  
39 **service is disclosed to the consumer as a dollar amount, three percent**  
40 **of such dollar amount; or**

41 (b) **If the seller can identify the portion of the price that is**  
42 **attributable to the prepaid wireless telecommunications service by**  
43 **reasonable and verifiable standards from the seller's books and records**  
44 **that are kept in the regular course of business for other purposes**  
45 **including, but not limited to non-tax purposes, three percent of such**  
46 **portion;**

47 **The first fifteen dollars of each transaction under this subdivision shall**  
48 **not be subject to the service charge.**

49 (3) The prepaid wireless emergency telephone service charge shall be  
50 collected by the seller from the consumer with respect to each retail transaction  
51 occurring in this state. The amount of the prepaid wireless emergency telephone  
52 service charge shall be either separately stated on an invoice, receipt, or other  
53 similar document that is provided to the consumer by the seller or otherwise  
54 disclosed to the consumer.

55 [(3)] (4) For purposes of this subsection, a retail transaction that is  
56 effected in person by a consumer at a business location of the seller shall be  
57 treated as occurring in this state if that business location is in this state, and any  
58 other retail transaction shall be treated as occurring in this state if the retail  
59 transaction is treated as occurring [in this state under state law] **under chapter**  
60 **144.**

61 [(4)] (5) The prepaid wireless emergency telephone service charge is the

62 liability of the consumer and not of the seller or of any provider; except that, the  
63 seller shall be liable to remit all charges that the seller **collects or** is deemed to  
64 collect [if the amount of the charge has not been separately stated on an invoice,  
65 receipt, or other similar document provided to the consumer by the seller].

66        [(5)] **(6)** The amount of the prepaid wireless emergency telephone service  
67 charge that is collected by a seller from a consumer, if such amount is separately  
68 stated on an invoice, receipt, or other similar document provided to the consumer  
69 by the seller, shall not be included in the base for measuring any tax, fee,  
70 surcharge, or other charge that is imposed by this state, any political subdivision  
71 of this state, or any intergovernmental agency.

72        3. (1) Prepaid wireless emergency telephone service charges collected by  
73 sellers shall be remitted to the department at the times and in the manner  
74 provided by state law with respect to sales and use taxes. The department shall  
75 establish registration and payment procedures that substantially coincide with  
76 the registration and payment procedures that apply under state law. **On or**  
77 **after the effective date of the service charge imposed under the**  
78 **provisions of this section, the director of the department of revenue**  
79 **shall perform all functions incident to the administration, collection,**  
80 **enforcement, and operation of the service charge, and the director shall**  
81 **collect, in addition to the sales tax for the state of Missouri, all**  
82 **additional service charges imposed in this section. All service charges**  
83 **imposed under this section together with all taxes imposed under the**  
84 **sales tax law of the state of Missouri shall be collected together and**  
85 **reported upon such forms and under such administrative rules and**  
86 **regulations as may be prescribed by the director. All applicable**  
87 **provisions contained in sections 144.010 to 144.525 governing the state**  
88 **sales tax and section 32.057 shall apply to the collection of any service**  
89 **charges imposed under this section except as modified.**

90        (2) Beginning on January 1, 2019, and ending on January 31, 2019, when  
91 a consumer purchases prepaid wireless telecommunications service in a retail  
92 transaction from a seller under this section, the seller shall be allowed to retain  
93 one hundred percent of the prepaid wireless emergency telephone service charges  
94 that are collected by the seller from the consumer. Beginning on February 1,  
95 2019, a seller shall be permitted to deduct and retain three percent of prepaid  
96 wireless emergency telephone service charges that are collected by the seller from  
97 consumers.

98        (3) The department shall establish procedures by which a seller of prepaid

99 wireless telecommunications service may document that a sale is not a retail  
100 transaction, which procedures shall substantially coincide with the procedures for  
101 documenting sale for resale transactions for sales and use purposes under state  
102 law.

103 (4) The department shall deposit all remitted prepaid wireless emergency  
104 telephone service charges into the general revenue fund for the department's use  
105 until eight hundred thousand one hundred fifty dollars is collected to reimburse  
106 its direct costs of administering the collection and remittance of prepaid wireless  
107 emergency telephone service charges. From then onward, the department shall  
108 deposit all remitted prepaid wireless emergency telephone service charges into  
109 the Missouri 911 service trust fund created under section 190.420 within thirty  
110 days of receipt for use by the board. After the initial eight hundred thousand one  
111 hundred fifty dollars is collected, the department may deduct an amount not to  
112 exceed one percent of collected charges to be retained by the department to  
113 reimburse its direct costs of administering the collection and remittance of  
114 prepaid wireless emergency telephone service charges.

115 (5) The board shall set a rate between twenty-five and one hundred  
116 percent of the prepaid wireless emergency telephone service charges deposited in  
117 the Missouri 911 service trust fund collected in counties without a charter form  
118 of government, less the deductions authorized in subdivision (4) of this  
119 subsection, that shall be remitted to such counties in direct proportion to the  
120 amount of charges collected in each county. The board shall set a rate between  
121 sixty-five and one hundred percent of the prepaid wireless emergency telephone  
122 service charges deposited in the Missouri 911 service trust fund collected in  
123 counties with a charter form of government and any city not within a county, less  
124 the deductions authorized in subdivision (4) of this subsection, that shall be  
125 remitted to each such county or city not within a county in direct proportion to  
126 the amount of charges collected in each such county or city not within a county.  
127 **If a county has an elected emergency services board, the Missouri 911**  
128 **service board shall remit the funds to the elected emergency services**  
129 **board, except for an emergency services board originally organized**  
130 **under section 190.325 operating within a county with a charter form of**  
131 **government and with more than two hundred thousand but fewer than**  
132 **three hundred fifty thousand inhabitants, in which case the funds shall**  
133 **be remitted to the county's general fund for the purpose of public**  
134 **safety infrastructure.** The initial percentage rate set by the board for counties  
135 with and without a charter form of government and any city not within a county

136 **shall be set by June thirtieth of each applicable year and** may be adjusted  
137 [after three years, and thereafter the rate may be adjusted every two] **annually**  
138 **for the first three years, and thereafter the rate may be adjusted every**  
139 **three** years; however, at no point shall the board set rates that fall below  
140 twenty-five percent for counties without a charter form of government and  
141 sixty-five percent for counties with a charter form of government and any city not  
142 within a county.

143 (6) Any amounts received by a county or city under subdivision (5) of this  
144 subsection shall be used only for purposes authorized in sections 190.305,  
145 190.325, and 190.335. Any amounts received by any county with a charter form  
146 of government and with more than six hundred thousand but fewer than seven  
147 hundred thousand inhabitants under this section may be used for emergency  
148 service notification systems.

149 4. (1) A seller that is not a provider shall be entitled to the immunity and  
150 liability protections under section 190.455, notwithstanding any requirement in  
151 state law regarding compliance with Federal Communications Commission Order  
152 05-116.

153 (2) A provider shall be entitled to the immunity and liability protections  
154 under section 190.455.

155 (3) In addition to the protection from liability provided in subdivisions (1)  
156 and (2) of this subsection, each provider and seller and its officers, employees,  
157 assigns, agents, vendors, or anyone acting on behalf of such persons shall be  
158 entitled to the further protection from liability, if any, that is provided to  
159 providers and sellers of wireless telecommunications service that is not prepaid  
160 wireless telecommunications service under section 190.455.

161 5. The prepaid wireless emergency telephone service charge imposed by  
162 this section shall be in addition to any other tax, fee, surcharge, or other charge  
163 imposed by this state, any political subdivision of this state, or any  
164 intergovernmental agency for 911 funding purposes[, except that such prepaid  
165 wireless emergency telephone service charge shall be charged in lieu of, and not  
166 imposed in addition to, any tax imposed under section 190.292 or 190.335].

167 6. The provisions of this section shall become effective unless the  
168 governing body of a county or city adopts an ordinance, order, rule, resolution, or  
169 regulation by at least a two-thirds vote prohibiting the charge established under  
170 this section from becoming effective in the county or city at least forty-five days  
171 prior to the effective date of this section. If the governing body does adopt such  
172 ordinance, order, rule, resolution, or regulation by at least a two-thirds vote, the

173 charge shall not be collected and the county or city shall not be allowed to obtain  
174 funds from the Missouri 911 service trust fund that are remitted to the fund  
175 under the charge established under this section. The Missouri 911 service board  
176 shall, by September 1, 2018, notify all counties and cities of the implementation  
177 of the charge established under this section, and the procedures set forth under  
178 this subsection for prohibiting the charge from becoming effective.

179 **7. Any county or city which prohibited the prepaid wireless**  
180 **emergency telephone service charge pursuant to the provisions of**  
181 **subsection 6 of this section may take a vote of the governing body, and**  
182 **notify the department of revenue of the result of such vote, by**  
183 **November 15, 2019, to impose such charge effective January 1, 2020. A**  
184 **vote of at least two-thirds of the governing body is required in order to**  
185 **impose such charge. The department shall notify the board of notices**  
186 **received by December 1, 2019. [This section shall expire on January 1, 2023.]**

**190.462. 1. As used in this section, the following terms mean:**

2 **(1) "All retail sales subject to sales tax", tangible personal**  
3 **property and services subject to the tax imposed by sections 190.292 or**  
4 **190.335;**

5 **(2) "General retailer", a person making a sale at retail as defined**  
6 **in section 144.010;**

7 **(3) "Taxpayer", a person who pays the tax imposed under sections**  
8 **190.292 or 190.335.**

9 **2. (1) If a court of competent jurisdiction issues a declaratory**  
10 **ruling prior to the effective date of this section that the taxes imposed**  
11 **under sections 190.292 or 190.335 are pre-empted by the provisions of**  
12 **subsection 5 of section 190.460 on all retail sales subject to sales tax in**  
13 **a taxing jurisdiction that did not opt out of the collection of the**  
14 **prepaid wireless emergency telephone service charge:**

15 **(a) A seller or general retailer who collected and remitted the**  
16 **tax imposed under sections 190.292 or 190.335 on all retail sales subject**  
17 **to sales tax in a taxing jurisdiction that did not opt out of such tax**  
18 **under the provisions of subsection 6 of section 190.460, shall not be**  
19 **required to refund such taxes to taxpayers;**

20 **(b) All requests for refunds by taxpayers shall be made directly**  
21 **to the taxing jurisdiction. The department of revenue shall develop**  
22 **procedures and forms for taxpayers requesting refunds from taxing**  
23 **jurisdictions;**

24           **(c) This subsection applies to taxes collected between January**  
25 **1, 2019, and the first day of the calendar month following a declaratory**  
26 **ruling by a court of competent jurisdiction that the taxes imposed**  
27 **under sections 190.292 or 190.335 are pre-empted by the provisions of**  
28 **subsection 5 of section 190.460 on all retail sales subject to sales tax in**  
29 **taxing jurisdictions that did not opt out of the collection of the prepaid**  
30 **wireless emergency telephone service charge.**

31           **(2) If this section goes into effect prior to a court of competent**  
32 **jurisdiction issuing a declaratory ruling, then the provisions of**  
33 **paragraphs (a) and (b) of subdivision (1) of this subsection shall apply**  
34 **from January 1, 2019, until the effective date of this section.**

35           **3. (1) If a court of competent jurisdiction issues a declaratory**  
36 **ruling prior to the effective date of this section that the taxes imposed**  
37 **under sections 190.292 or 190.335 are pre-empted by the provisions of**  
38 **subsection 5 of section 190.460 only on sales of prepaid wireless**  
39 **telecommunications services in a taxing jurisdiction that did not opt**  
40 **out of the collection of the prepaid wireless emergency telephone**  
41 **service charge:**

42           **(a) A seller or other retailer who did not collect the tax imposed**  
43 **under sections 190.292 or 190.335 on the retail sale of wireless**  
44 **telecommunications service and wireless devices associated therewith**  
45 **shall not be liable for any assessment or incur any other liability on**  
46 **such uncollected taxes;**

47           **(b) This subsection applies to assessments for the period**  
48 **beginning January 1, 2019, and ending on the first day of the calendar**  
49 **month following a declaratory ruling by a court of competent**  
50 **jurisdiction that the taxes imposed by under sections 190.292 or 190.335**  
51 **are pre-empted by the provisions of subsection 5 of section 190.460 only**  
52 **on sales of prepaid wireless telecommunications services in a taxing**  
53 **jurisdiction that did not opt out of the collection of the prepaid**  
54 **wireless emergency telephone service charge.**

55           **(2) If this section takes effect prior to a court of competent**  
56 **jurisdiction issuing a declaratory ruling, then the provisions of**  
57 **paragraphs (a) and (b) of subdivision (1) of this subsection shall apply**  
58 **from January 1, 2019, until the effective date of this section.**

59           **4. This section shall expire on January 1, 2023.**

650.330. 1. The board shall consist of fifteen members, one of which shall

2 be chosen from the department of public safety, and the other members shall be  
3 selected as follows:

4 (1) One member chosen to represent an association domiciled in this state  
5 whose primary interest relates to municipalities;

6 (2) One member chosen to represent the Missouri 911 Directors  
7 Association;

8 (3) One member chosen to represent emergency medical services and  
9 physicians;

10 (4) One member chosen to represent an association with a chapter  
11 domiciled in this state whose primary interest relates to a national emergency  
12 number;

13 (5) One member chosen to represent an association whose primary  
14 interest relates to issues pertaining to fire chiefs;

15 (6) One member chosen to represent an association with a chapter  
16 domiciled in this state whose primary interest relates to issues pertaining to  
17 public safety communications officers;

18 (7) One member chosen to represent an association whose primary  
19 interest relates to issues pertaining to police chiefs;

20 (8) One member chosen to represent an association domiciled in this state  
21 whose primary interest relates to issues pertaining to sheriffs;

22 (9) One member chosen to represent counties of the second, third, and  
23 fourth classification;

24 (10) One member chosen to represent counties of the first classification,  
25 counties with a charter form of government, and cities not within a county;

26 (11) One member chosen to represent telecommunications service  
27 providers;

28 (12) One member chosen to represent wireless telecommunications service  
29 providers;

30 (13) One member chosen to represent voice over internet protocol service  
31 providers; and

32 (14) One member chosen to represent the governor's council on disability  
33 established under section 37.735.

34 2. Each of the members of the board shall be appointed by the governor  
35 with the advice and consent of the senate for a term of four years. Members of  
36 the committee may serve multiple terms. No corporation or its affiliate shall  
37 have more than one officer, employee, assign, agent, or other representative  
38 serving as a member of the board. Notwithstanding subsection 1 of this section

39 to the contrary, all members appointed as of August 28, 2017, shall continue to  
40 serve the remainder of their terms.

41 3. The board shall meet at least quarterly at a place and time specified  
42 by the chairperson of the board and it shall keep and maintain records of such  
43 meetings, as well as the other activities of the board. Members shall not be  
44 compensated but shall receive actual and necessary expenses for attending  
45 meetings of the board.

46 4. The board shall:

47 (1) Organize and adopt standards governing the board's formal and  
48 informal procedures;

49 (2) Provide recommendations for primary answering points and secondary  
50 answering points on technical and operational standards for 911 services;

51 (3) Provide recommendations to public agencies concerning model systems  
52 to be considered in preparing a 911 service plan;

53 (4) Provide requested mediation services to political subdivisions involved  
54 in jurisdictional disputes regarding the provision of 911 services, except that the  
55 board shall not supersede decision-making authority of local political subdivisions  
56 in regard to 911 services;

57 (5) Provide assistance to the governor and the general assembly regarding  
58 911 services;

59 (6) Review existing and proposed legislation and make recommendations  
60 as to changes that would improve such legislation;

61 (7) Aid and assist in the timely collection and dissemination of  
62 information relating to the use of a universal emergency telephone number;

63 (8) Perform other duties as necessary to promote successful development,  
64 implementation and operation of 911 systems across the state, including  
65 monitoring federal and industry standards being developed for next-generation  
66 911 systems;

67 (9) Designate a state 911 coordinator who shall be responsible for  
68 overseeing statewide 911 operations and ensuring compliance with federal grants  
69 for 911 funding;

70 (10) Elect the chair from its membership;

71 (11) Apply for and receive grants from federal, private, and other sources;

72 (12) Report to the governor and the general assembly at least every three  
73 years on the status of 911 services statewide, as well as specific efforts to improve  
74 efficiency, cost-effectiveness, and levels of service;

75 (13) Conduct and review an annual survey of public safety answering



76 points in Missouri to evaluate potential for improved services, coordination, and  
77 feasibility of consolidation;

78 (14) Make and execute contracts or any other instruments and agreements  
79 necessary or convenient for the exercise of its powers and functions, including for  
80 the development and implementation of an emergency services internet protocol  
81 network that can be shared by all public safety agencies;

82 (15) Develop a plan and timeline of target dates for the testing,  
83 implementation, and operation of a next-generation 911 system throughout  
84 Missouri. The next-generation 911 system shall allow for the processing of  
85 electronic messages including, but not limited to, electronic messages containing  
86 text, images, video, or data;

87 (16) Administer and authorize grants and loans under section 650.335 to  
88 those counties and any home rule city with more than fifteen thousand but fewer  
89 than seventeen thousand inhabitants and partially located in any county of the  
90 third classification without a township form of government and with more than  
91 thirty-seven thousand but fewer than forty-one thousand inhabitants that can  
92 demonstrate a financial commitment to improving 911 services by providing at  
93 least a fifty percent match and demonstrate the ability to operate and maintain  
94 ongoing 911 services. The purpose of grants and loans from the 911 service trust  
95 fund shall include:

96 (a) Implementation of 911 services in counties of the state where services  
97 do not exist or to improve existing 911 systems;

98 (b) Promotion of consolidation where appropriate;

99 (c) Mapping and addressing all county locations;

100 (d) Ensuring primary access and texting abilities to 911 services for  
101 disabled residents;

102 (e) Implementation of initial emergency medical dispatch services,  
103 including prearrival medical instructions in counties where those services are not  
104 offered as of July 1, 2019; and

105 (f) Development and implementation of an emergency services internet  
106 protocol network that can be shared by all public safety agencies;

107 (17) Develop an application process including reporting and accountability  
108 requirements, withholding a portion of the grant until completion of a project,  
109 and other measures to ensure funds are used in accordance with the law and  
110 purpose of the grant, and conduct audits as deemed necessary;

111 (18) Set the percentage rate of the prepaid wireless emergency telephone  
112 service charges to be remitted to a county or city as provided under subdivision

113 (5) of subsection 3 of section 190.460;

114 (19) Retain in its records proposed county plans developed under  
115 subsection 10 of section 190.455 and notify the department of revenue that the  
116 county has filed a plan that is ready for implementation;

117 (20) Notify any communications service provider, as defined in section  
118 190.400, that has voluntarily submitted its contact information when any update  
119 is made to the centralized database established under section 190.475 as a result  
120 of a county or city establishing or modifying a tax or monthly fee no less than  
121 ninety days prior to the effective date of the establishment or modification of the  
122 tax or monthly fee;

123 (21) Establish criteria for consolidation prioritization of public safety  
124 answering points; [and]

125 (22) In coordination with existing public safety answering points, by  
126 December 31, 2018, designate no more than eleven regional 911 coordination  
127 centers which shall coordinate statewide interoperability among public safety  
128 answering points within their region through the use of a statewide 911  
129 emergency services network; **and**

130 **(23) Establish an annual budget, retain records of all revenue**  
131 **and expenditures made, retain minutes of all meetings and**  
132 **subcommittees, post records, minutes, and reports on the board's web**  
133 **page on the department of public safety website.**

134 5. The department of public safety shall provide staff assistance to the  
135 board as necessary in order for the board to perform its duties pursuant to  
136 sections 650.320 to 650.340. The board shall have the authority to hire  
137 consultants to administer the provisions of sections 650.320 to 650.340.

138 6. The board shall promulgate rules and regulations that are reasonable  
139 and necessary to implement and administer the provisions of **sections 190.455,**  
140 **190.460, 190.465, 190.470, 190.475, and** sections 650.320 to 650.340. Any rule  
141 or portion of a rule, as that term is defined in section 536.010, shall become  
142 effective only if it has been promulgated pursuant to the provisions of chapter  
143 536. This section and chapter 536 are nonseverable and if any of the powers  
144 vested with the general assembly pursuant to chapter 536 to review, to delay the  
145 effective date or to disapprove and annul a rule are subsequently held  
146 unconstitutional, then the grant of rulemaking authority and any rule proposed  
147 or adopted after August 28, 2017, shall be invalid and void.

Section B. Because immediate action is necessary to provide funding for  
2 emergency services in this state, section A of this act is deemed necessary for the

3 immediate preservation of the public health, welfare, peace and safety, and is  
4 hereby declared to be an emergency act within the meaning of the constitution,  
5 and section A of this act shall be in full force and effect upon its passage and  
6 approval.

✓

Unofficial

Bill

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