



## WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

<b>2003 Wisconsin Act 48</b> [2003 Assembly Bill 61]	<b>Wireless 911 System Grant Program</b>
2003 Acts: <a href="http://www.legis.state.wi.us/2003/data/acts/">www.legis.state.wi.us/2003/data/acts/</a>	Act Memos: <a href="http://www.legis.state.wi.us/lc/act_memo/act_memo.htm">www.legis.state.wi.us/lc/act_memo/act_memo.htm</a>

2003 Wisconsin Act 48 creates a three-year grant program administered by the Public Service Commission (PSC) to reimburse local governments and wireless telephone service providers certain costs related to providing enhanced wireless 911 service. The Act funds the grant program by imposing a temporary surcharge on the bills of wireless service customers in Wisconsin.

### **BACKGROUND INFORMATION**

Facilities that receive and process emergency calls placed to 911 are referred to as public safety answering points (PSAPs). There are 139 PSAPs in Wisconsin that receive 911 calls from conventional, land line phones of which 71 are operated by counties. Currently, all wireless calls to 911 are routed to county PSAPs or call centers.

“Enhanced 911 service” provides PSAPs with information regarding the telephone number and location (street address) of the caller. Most (but not all) PSAPs in Wisconsin currently have enhanced 911 capabilities for calls from landline telephones. Additional equipment and computer software are required at wireless provider facilities and PSAPs, as well as new handsets, to provide this capability for calls from wireless telephones.

There is no state or federal requirement that PSAPs develop enhanced wireless 911 capabilities. However, there is a strong desire, led by the public safety community and the Federal Communications Commission (FCC), to develop these capabilities across the country. To this end, the FCC has adopted a series of orders that require wireless providers in a phased schedule to make the necessary handsets available and to transmit all wireless 911 calls to the appropriate designated PSAP at the request of the PSAP and provide the telephone number and, to specified accuracies, the location of the caller.

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This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents.

## ACT 48

### Grants

**Local governments** may, in general, receive reimbursement for costs incurred during the reimbursement period for leasing, purchasing, operating, or maintaining a wireless PSAP and for certain costs incurred before the reimbursement period. To encourage the consolidation of PSAPs and services, the Act:

- Allows only **one grant per county**, which must be made to a local government designated by resolution by the county Board of Supervisors.
- Directs the PSC to make **supplemental grants** to multi-county PSAPs, which may be used for any governmental purpose.

**Wireless providers** may, in general, receive reimbursement for costs incurred during the reimbursement period to upgrade, purchase, lease, program, install, test, operate, or maintain all data, hardware, and software necessary to comply with the orders of the FCC related to enhanced wireless 911 service.

The **reimbursement period** includes the three-year period during which the surcharge may be imposed plus the period of time between the effective date of the Act and this three-year period, during which time the PSC is preparing rules related to the program.

### Funding

The PSC must promulgate rules requiring wireless providers to impose **a surcharge on their customers' bills**. Bills must identify the surcharge as the "federal wireless 911 mandate fee." The surcharge must be uniform and must be sufficient to cover the cost of administering the program and making the grants. Assuming expeditious rule development, the surcharge is expected to begin in late 2005 to early 2006 and will sunset three years after it is first applied.

### Other Provisions

Under the Act, telecommunications utilities, wireless providers, and local governments **are not liable** to persons who use either landline or wireless 911 systems. The Act also requires the PSC to give **confidential treatment to information** it obtains while administering the program, if the information could aid a competitor.

### ADDITIONAL INFORMATION

Legislative Council Legal Memorandum 03-4, *Wireless 911 System Grant Program [2003 Wisconsin Act 48]*, dated August 20, 2003, contains a more detailed description of Act 48 and is available at: [http://www.legis.state.wi.us/lc/reports\\_by\\_topic.htm](http://www.legis.state.wi.us/lc/reports_by_topic.htm). For additional information on the FCC's wireless 911 orders see: [www.fcc.gov/911/enhanced/](http://www.fcc.gov/911/enhanced/).

**Effective Date:** Act 48 takes effect on September 3, 2003.

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