

WEST VIRGINIA CODE: §24-6-15

§24-6-15. Commission to implement NG911 in West Virginia.

(a) *Legislative findings.* — (1) The Legislature finds that:

(A) Communication technology has substantially outpaced the legacy communication technology presently utilized by most public safety answering points in the State of West Virginia;

(B) The lack of modern technology is impacting the ability of the 911 system to provide responses efficiently and effectively to emergencies;

(C) West Virginia citizens expect a 911 emergency service to be reliable and efficient; and

(D) Modernizing West Virginia's 911 system to include new and evolving capabilities of broadband voice and data communications is essential for the safety and security of the general public and first responders.

(2) The Legislature further finds that it is necessary to implement Next Generation 911 emergency services and to create a framework to help guide the transition to implementation of Next Generation 911 services.

(b) *Commission established.* — (1) This article establishes a Commission to Advance NG911 in West Virginia.

(2) The commission consists of the following members:

(A) Two members of the Senate of West Virginia, appointed by the President of the Senate;

(B) Two members of the House of Delegates, appointed by the Speaker of the House;

(C) The chairman of the Public Service Commission or designee;

(D) The Chief Technology Officer from the West Virginia Office of Technology, or designee;

(E) The Chairperson of the Commission for the Deaf and Hard of Hearing, or designee;

(F) Two representatives from PSAPs, appointed by the Governor with the advice and consent of the Senate from a list of 12 names selected by the County Commission Association of West Virginia;

(G) Two county government representatives, familiar with county purchasing and finances, appointed by the Governor with the advice and consent of the Senate from a list of 12 names selected by the County Commission Association of West Virginia;

(H) The following nonvoting members appointed by the Governor;

- (i) One representative from the broadband industry offering service within West Virginia;
- (ii) One representative from a local exchange carrier offering service within West Virginia;
- (iii) One representative from the wireless communications industry offering service within West Virginia; and
- (iv) One representative from the mission critical communications industry offering service within West Virginia.

(3) The commission may call upon anyone with necessary expertise and knowledge to provide any advice relevant to the commission's purpose.

(4) The commission shall annually elect the chair of the commission.

(5) The entities represented on the commission in §24-6-15(b)(2)(A) through §24-6-15(b)(2)(G) of this code shall jointly provide staff for the commission. Additional staff may be requested through the Joint Committee on Government and Finance.

(c) A member of the commission may not receive compensation as a member of the commission, but may receive reimbursement for related travel expenses as prescribed by the West Virginia State Travel Management Office, as provided in the state budget.

(d) *Duties of the commission.* — The commission shall study and make recommendations regarding:

- (1) The implementation, management, operation, and ongoing development of NG911 emergency communication services;
- (2) The current statutory and regulatory framework for the management and funding of the current enhanced 911 or other emergency phone systems in the state;
- (3) Federal, state, and local authorities, agencies, and governing bodies whose participation and cooperation will be necessary for the implementation of NG911 services in this state;
- (4) The costs required to plan, test, implement, manage, and operate NG911 technology and services;
- (5) Best practices, policies, and procedures for public safety telecommunications;
- (6) Any efforts, projects, or initiative in progress or planned to upgrade the enhanced 911 systems in this state or implement NG911 in any county of this state;
- (7) Any other issues the commission may consider useful in the planning and implementation of NG911 emergency communication services in West Virginia.

(8) The anticipation and prevention of cybersecurity threats to NG911 infrastructure.

(e) *Preliminary report.* — On or before December 31, 2022, the commission shall submit a preliminary report to the Joint Committee on Government and Finance regarding:

- (1) The needs, both capital and operating, to bring efficient and effective NG911 technology and service across West Virginia, and estimated costs;
- (2) The current funding structure for both state and local support for enhanced 911 or emergency telephone systems and the adequacy in supporting current service and NG911 service;
- (3) Comparisons of the current West Virginia Wireless 911 fee pursuant to §24-6-6b of this code and the charge mechanisms used in other states;
- (4) Potential changes to the fee in §24-6-6b of this code, including additional charge mechanisms and the estimated effect of the implementation of full-service NG911 across this state;
- (5) Grant funding applicable to promote and ensure ideal support for maintenance, training, and other costs associated with both the transition to NG911 service and the continued function of effective call centers; and
- (6) Other issues related to financing, procuring, and maintaining effective NG911 across this state.

(f) *Final report.* — On or before June 1, 2023, the commission shall submit a final report to the Joint Committee on Government and Finance and to the Governor regarding:

- (1) The final expected costs and funding sources associated with NG911, including, final recommendations to change fees pursuant to §24-6-6b of this code or any additional charging mechanism, or grant funds applicable to implement and maintain NG911;
- (2) The implementation, management, operation, and ongoing development of NG911 emergency communication services during both NG911 transition to expanded service and the permanent service;
- (3) The current statutory and regulatory framework for the management and funding of NG911 services in the state;
- (4) Federal, state, and local authorities, agencies, and governing bodies whose participation and cooperation will be necessary for the implementation of NG911 services in this state;
- (5) Recommendations for oversight of NG911 services and ongoing oversight of expenses and funding;

- (6) Best practices, policies, and procedures for public safety telecommunications;
- (7) Any efforts, projects, or initiative in progress or planned to upgrade the enhanced 911 systems in this state or implement NG911 in any county of this state;
- (8) Any other issues the commission may consider useful in the planning and implementation of NG911 emergency communication services in West Virginia.

(g) *Effective date.* — This commission shall be in full force and effect on June 1, 2022. The commission shall remain in effect until June 30, 2023, and, with no further action by the Legislature, the commission shall sunset and cease to exist.