

FILED

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OFFICE WEST VIRGINIA
SECRETARY OF STATE

WEST VIRGINIA LEGISLATURE

FIRST REGULAR SESSION, 2001



ENROLLED

**COMMITTEE SUBSTITUTE
FOR**

House Bill No. 2329

(By Delegates Trump, Michael, Faircloth and Pethtel)



Passed April 14, 2001

In Effect Ninety Days from Passage

FILED

2001 MAY -2 A 11: 18

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FOR

H. B. 2329

(BY DELEGATES TRUMP, MICHAEL, FAIRCLOTH AND PETHTEL)

[Passed April 14, 2001; in effect ninety days from passage.]

AN ACT to amend and reenact section three-cc, article one, chapter seven of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to enhanced emergency telephone systems established by county commissions; permitting the fee imposed upon consumers of local exchange service within the county for an enhanced emergency telephone system to be used for any administration and operation costs associated with the system, and subjecting the county answering points' books and records to an annual examination by the state auditors office.

Be it enacted by the Legislature of West Virginia:

That section three-cc, article one, chapter seven of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

ARTICLE 1. COUNTY COMMISSIONS GENERALLY.

FILED

§7-1-3cc. Authority of county commissions to establish enhanced emergency telephone systems, technical and operational standards for emergency communications centers, and standards for education and training of emergency communications systems personnel; standards for alarm systems; fee upon consumers of telephone service for the systems and for roadway conversion systems; authority to contract with the telephone companies for billing of fee.

1 (a) In addition to possessing the authority to establish an
2 emergency telephone system pursuant to section four, article
3 six, chapter twenty-four of this code, a county commission or
4 the county commissions of two or more counties may, instead,
5 establish an enhanced emergency telephone system or convert
6 an existing system to an enhanced emergency system. The
7 establishment of such a system shall be subject to the provi-
8 sions of article six of said chapter. The county commission may
9 adopt rules after receiving recommendations from the West
10 Virginia enhanced 911 council concerning the operation of all
11 county emergency communications centers or emergency
12 telephone systems centers in the state, including, but not limited
13 to, recommendations for:

14 (1) Minimum standards for emergency telephone systems
15 and emergency communications centers;

16 (2) Minimum standards for equipment used in any center
17 receiving telephone calls of an emergency nature and dispatch-
18 ing emergency service providers in response to that call and
19 which receives 911 moneys or has basic 911 service funded
20 through its county commission; and

21 (3) Minimum standards for education and training of all
22 personnel in emergency communications centers.

23 (b) A county commission may impose a fee upon consum-
24 ers of local exchange service within that county for an enhanced
25 emergency telephone system and associated electronic equip-
26 ment and for the conversion of all rural routes to city-type
27 addressing, as provided in section three of this article. The fee
28 is to be used solely and directly for the capital, installation,
29 administration, operation and maintenance costs of the en-
30 hanced emergency telephone system and of the conversion to
31 city-type addressing and including the reasonable costs associ-
32 ated with establishing, equipping, furnishing, operating or
33 maintaining a county answering point.

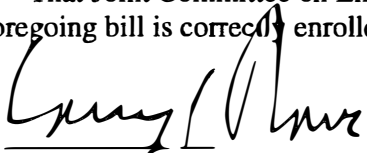
34 (c) A county commission may contract with the telephone
35 company or companies providing local exchange service within
36 the county for the telephone company or companies to act as
37 the billing agent or agents of the county commission for the
38 billing of the fee imposed pursuant to subsection (b) of this
39 section. The cost for the billing agent services may be included
40 as a recurring maintenance cost of the enhanced emergency
41 telephone system.

42 Where a county commission has contracted with a tele-
43 phone company to act as its billing agent for enhanced emer-
44 gency telephone system fees, all competing local exchange
45 telephone companies with customers in that county shall bill the
46 enhanced emergency telephone system fees to its respective
47 customers located in that county, and shall remit the fee. It may
48 deduct its respective costs for billing in the same manner as the
49 acting billing agent for the enhanced emergency telephone
50 system fee.

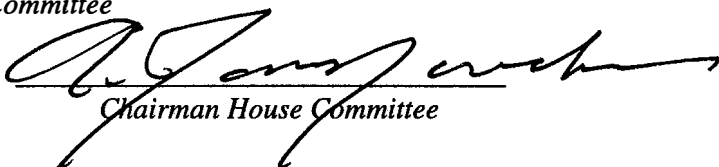
51 (d) A county commission of any county with an emergency
52 communications center or emergency telephone system may
53 establish standards for alarm systems, including security, fire
54 and medical alarms.

55 (e) The books and records of all county answering points
56 that benefit from the imposition of the local exchange service
57 fees shall be subject to annual examination by the state audi-
58 tor's office.

That Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.



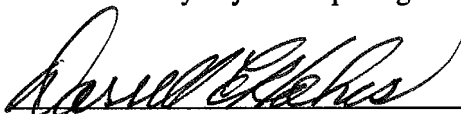
Chairman Senate Committee



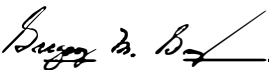
Chairman House Committee

Originating in the House.


In effect ninety days from passage.




Clerk of the Senate



Clerk of the House of Delegates



President of the Senate



Speaker of the House of Delegates

The within approved this the 1st
day of May, 2001.



Governor

PRESENTED TO THE

GOVERNOR

Date 4/26/01

Time 5:16 pm