

## Florida

Florida State Legislature - 2003

HB 1307

1 A bill to be entitled  
2 An act relating to emergency communications; amending s.  
3 365.172, F.S.; defining the terms “active prepaid wireless  
4 telephone,” “mobile telephone number,” “prepaid wireless  
5 telephone service,” and “sufficient positive balance” for  
6 purposes of wireless emergency communications; revising  
7 authority of the board; prescribing additional duties of  
8 the board of directors of the Wireless 911 Board with  
9 respect to 911 and E911 systems; revising procedures for  
10 securing accounting services; prescribing a method of  
11 collecting the wireless E911 fee in instances in which the  
12 wireless telephone service to which the surcharge applies  
13 is prepaid; exempting certain co-located facilities from  
14 specified land development regulations under described  
15 circumstances; providing for certification to local  
16 governments of compliance with certain federal  
17 regulations; providing for local government approval of  
18 applications for permits for new or co-located wireless  
19 communications facilities; providing procedures and  
20 timeframes; providing for waiver of timeframes; specifying  
21 permitted use and activity for certain additional  
22 facilities; providing for the Department of Management  
23 Services and the Department of Transportation to negotiate  
24 leases of state-owned property for certain wireless  
25 telecommunications facilities; authorizing said  
26 departments to adopt rules; providing for report to the  
27 board and the county of certain delays in locating  
28 facilities; providing for a subcommittee to make  
29 recommendations to the board and certain identified local  
30 governments regarding compliance with federal Phase II  
31 E911 service requirements; providing for report of such  
32 recommendations to the Governor and the Legislature;  
33 amending s. 365.173, F.S.; authorizing disbursements from  
34 the Wireless Emergency Telephone System Fund for  
35 activities of the board of directors of the Wireless 911  
36 Board; creating s. 365.175, F.S.; providing definitions;  
37 requiring new private branch exchange telephone systems to  
38 have automatic location identification capabilities;  
39 providing an effective date.

40  
41 **Be It Enacted by the Legislature of the State of Florida:**

42  
43 Section 1. Subsection (3), paragraph (a) of subsection  
44 (6), and subsections (7) and (9) of section 365.172, Florida  
45 Statutes, are amended, present subsections (11) and (12) of that  
46 section are renumbered as subsections (12) and (13),  
47 respectively, and a new subsection (11) is added to that  
48 section, to read:

49 365.172 Wireless emergency telephone number “E911.”—  
50 (3) DEFINITIONS.—As used in this section and ss. 365.173  
51 and 365.174, the term:

52 (a) “Active prepaid wireless telephone” means a prepaid  
53 wireless telephone that has been used by the customer during the  
54 month to complete a telephone call for which the customer’s card  
55 or balance was decremented.

56 (b) ~~(a)~~ “Answering point” means the public safety agency  
57 that receives incoming 911 calls and dispatches appropriate

58 public safety agencies to respond to such calls.

59 © ~~(b)~~ “Automatic location identification” means the  
60 capability of the E911 service which enables the automatic  
61 display of information that defines the approximate geographic  
62 location of the wireless telephone used to place a 911 call.

63 (d) ~~(c)~~ “Automatic number identification” means the  
64 capability of the E911 service which enables the automatic  
65 display of the 10-digit service number used to place a 911 call.

66 (e) ~~(d)~~ “Board” means the board of directors of the  
67 Wireless 911 Board.

68 (f) ~~(e)~~ “Office” means the State Technology Office.

69 (g) ~~(f)~~ “E911” is the designation for a wireless enhanced  
70 911 system or wireless enhanced 911 service that is an emergency  
71 telephone system or service that provides a subscriber with  
72 wireless 911 service and, in addition, directs 911 calls to  
73 appropriate public safety answering points by selective routing  
74 based on the geographical location from which the call  
75 originated, or as otherwise provided in the state plan under s.  
76 365.171, and that provides for automatic number identification  
77 and automatic location-identification features in accordance  
78 with the requirements of the order.

79 (h) ~~(g)~~ “Fee” means the E911 fee imposed under subsection  
80 (8).

81 (i) ~~(h)~~ “Fund” means the Wireless Emergency Telephone  
82 System Fund established in s. 365.173 and maintained under this  
83 section for the purpose of recovering the costs associated with  
84 providing 911 service or E911 service, including the costs of  
85 implementing the order.

86 (j) ~~(i)~~ “Local exchange carrier” means an “alternative  
87 local exchange telecommunications company” or a “local exchange  
88 telecommunications company” as defined in s. 364.02.

89 (k) ~~(j)~~ “Local government” means any municipality, county,  
90 or political subdivision or agency of a municipality, county, or  
91 political subdivision.

92 (l) “Mobile telephone number” or “MTN” means the telephone  
93 number assigned to a wireless telephone at the time of initial  
94 activation.

95 (m) ~~(k)~~ “Order” means:

96 1. The following orders and rules of the Federal  
97 Communications Commission issued in FCC Docket No. 94-102:  
98 a. Order adopted on June 12, 1996, with an effective date  
99 of October 1, 1996, the amendments to s. 20.03 and the creation  
100 of s. 20.18 of Title 47 of the Code of Federal Regulations  
101 adopted by the Federal Communications Commission pursuant to  
102 such order.  
103 b. Memorandum and Order No. FCC 97-402 adopted on December  
104 23, 1997.  
105 c. Order No. FCC DA 98-2323 adopted on November 13, 1998.  
106 d. Order No. FCC 98-345 adopted December 31, 1998.

107 2. Orders and rules subsequently adopted by the Federal  
108 Communications Commission relating to the provision of wireless  
109 911 services.

110 (n) ~~(l)~~ “Provider” means a person or entity who provides  
111 service and either:

112 1. Is subject to the requirements of the order; or  
113 2. Elects to provide wireless 911 service or E911 service  
114 in this state.

115 (o) “Prepaid wireless telephone service” means wireless  
116 telephone service that is activated in advance by payment for a  
117 finite dollar amount of service or for a finite set of minutes  
118 that terminate either upon use by a customer and delivery by the  
119 wireless provider of an agreed-upon amount of service

120 corresponding to the total dollar amount paid in advance or  
121 within a certain period of time following the initial purchase  
122 or activation, unless additional payments are made.

123 (p) ~~(m)~~ “Public agency” means the state and any  
124 municipality, county, municipal corporation, or other  
125 governmental entity, public district, or public authority  
126 located in whole or in part within this state which provides, or  
127 has authority to provide, firefighting, law enforcement,  
128 ambulance, medical, or other emergency services.

129 (q) ~~(n)~~ “Public safety agency” means a functional division  
130 of a public agency which provides firefighting, law enforcement,  
131 medical, or other emergency services.

132 ~~(o)~~ “Rural county” means any county that has a  
133 population of fewer than 75,000.

134 (s) ~~(p)~~ “Service” means “commercial mobile radio service”  
135 as provided under ss. 3(27) and 332(d) of the Federal  
136 Telecommunications Act of 1996, 47 U.S.C., ss. 151 et seq., and  
137 the Omnibus Budget Reconciliation Act of 1993, Pub. L. No. 103-  
138 66, August 10, 1993, 107 Stat. 312. The term “service” includes  
139 the term “wireless” and service provided by any wireless real-  
140 time two-way wire communication device, including radio-  
141 telephone communications used in cellular telephone service;  
142 personal communications service; or the functional or  
143 competitive equivalent of a radio-telephone communications line  
144 used in cellular telephone service, a personal communications  
145 service, or a network radio access line. The term does not  
146 include wireless providers that offer mainly dispatch service in  
147 a more localized, non-cellular configuration; providers offering  
148 only data, one-way, or stored-voice services on an  
149 interconnected basis; providers of air-to-ground services; or  
150 public coast stations.

151 (t) ~~(q)~~ “Service number” means the unique 10-digit wireless  
152 telephone number assigned to a service subscriber.

153 (u) “Sufficient positive balance” means a dollar amount  
154 greater than or equal to the monthly wireless surcharge amount.

155 (v) ~~(r)~~ “Wireless 911 system” or “wireless 911 service”  
156 means an emergency telephone system or service that provides a  
157 subscriber with the ability to reach an answering point by  
158 dialing the digits “911.” A wireless 911 system is complementary  
159 to a wired 911 system as provided for in s. 365.171.

160 (6) AUTHORITY OF THE BOARD; ANNUAL REPORT.—

161 (a) The board shall:

162 1. Administer the E911 fee.

163 2. Implement, maintain, and oversee the fund.

164 3. Review and oversee the disbursement of the revenues  
165 deposited into the fund as provided in s. 365.173. The board may  
166 establish a schedule for implementing wireless E911 service by  
167 service area, and prioritize disbursements of revenues from the  
168 fund to providers and rural counties as provided in s.  
169 365.173(2)(b) and (c) pursuant to the schedule, in order to  
170 implement E911 services in the most efficient and cost-effective  
171 manner.

172 4. Review documentation submitted by providers which  
173 reflects current and projected funds derived from the E911 fee,  
174 and the expenses incurred and expected to be incurred, in order  
175 to comply with the E911 service requirements contained in the  
176 order for the purposes of:

177 a. Ensuring that providers receive fair and equitable  
178 distributions of funds from the fund.

179 b. Ensuring that providers are not provided disbursements  
180 from the fund which exceed the costs of providing E911 service,  
181 including the costs of complying with the order.

182 c. Ascertaining the projected costs of compliance with the  
183 requirements of the order and projected collections of the E911  
184 fee.

185 d. Implementing changes to the allocation percentages or  
186 reducing the E911 fee under paragraph (8)©.

187 5. Review and approve or reject, in whole or in part,  
188 applications submitted by providers for recovery of moneys  
189 deposited into the fund.

190 6. Hire and retain employees for the purposes of  
191 performing the technical and administrative functions for the  
192 board.

193 7. Make and enter into contracts, pursuant to chapter 287,  
194 and execute other instruments necessary or convenient for the  
195 exercise of the powers and functions of the board.

196 8. Take all necessary and reasonable steps by July 1,  
197 2000, to secure appropriate information and reports from  
198 providers and otherwise perform all of the functions that would  
199 be performed by an independent accounting firm prior to  
200 completing the request-for-proposals process under subsection  
201 (7).

202 9. Sue and be sued, and appear and defend in all actions  
203 and proceedings, in its corporate name to the same extent as a  
204 natural person.

205 10. Adopt, use, and alter a common corporate seal.

206 11. Elect or appoint the officers and agents that are  
207 required by the affairs of the board.

208 12. The board may adopt rules under ss. 120.536(1) and  
209 120.54 to implement this section and ss. 365.173 and 365.174.

210 13. Provide coordination, support, and technical  
211 assistance to counties to promote the deployment of advanced 911  
212 and E911 systems in the state.

213 14. Provide coordination and support for educational  
214 opportunities related to 911 issues for the 911 community in  
215 this state.

216 15. Act as an advocate for issues related to 911 system  
217 functions, features, and operations to improve the delivery of  
218 911 services to the residents of and visitors to this state.

219 16. Coordinate input from this state at national forums  
220 and associations, to ensure that policies related to 911 systems  
221 and services are consistent with the policies of the 911  
222 community in this state.

223 17. Work cooperatively with the system director  
224 established in s. 365.171(5) to enhance the state of 911  
225 services in this state and to provide unified leadership for all  
226 911 issues through planning and coordination.

227 18. ~~[13.]~~ Do all acts and things necessary or convenient to  
228 carry out the powers granted in this section, including but not  
229 limited to, consideration of emerging technology and related  
230 cost savings.

231 (7) REQUEST FOR PROPOSALS FOR INDEPENDENT ACCOUNTING  
232 FIRM.—

233 (a) The board shall issue a request for proposals as  
234 provided in chapter 287 for the purpose of retaining an  
235 independent accounting firm. The independent accounting firm  
236 shall perform all material administrative and accounting tasks  
237 and functions required for administering the E911 fee. The  
238 request for proposals must include, but need not be limited to:

239 1. A description of the scope and general requirements of  
240 the services requested.

241 2. A description of the specific accounting and reporting  
242 services required for administering the fund, including  
243 processing checks and distributing funds as directed by the

244 board under s. 365.173.

245 3. A description of information to be provided by the  
246 proposer, including the proposer's background and qualifications  
247 and the proposed cost of the services to be provided.

248 (b) The board shall establish a committee to review  
249 requests for proposals which must include the statewide 911  
250 system director, or his or her designee, and two members of the  
251 board, one of whom is a county 911 coordinator and one of whom  
252 represents the wireless telecommunications industry. The review  
253 committee shall review the proposals received by the board and  
254 recommend an independent accounting firm to the board for final  
255 selection. By agreeing to serve on the review committee, each  
256 member of the review committee shall verify that he or she does  
257 not have any interest or employment, directly or indirectly,  
258 with potential proposers which conflicts in any manner or degree  
259 with his or her performance on the committee.

260 © After July 1, 2004, the board may secure the services  
261 of an independent accounting firm via invitation to bid, request  
262 for proposals, invitation to negotiate, or professional  
263 contracts already established at the Division of Purchasing,  
264 Department of Management Services, for certified public  
265 accounting firms, or the board may hire and retain professional  
266 accounting staff to accomplish these functions.

267 (9) MANAGEMENT OF FUNDS.—

268 (a) Each provider, as a part of its monthly billing  
269 process, shall collect the fee imposed under subsection (8). The  
270 provider may list the fee as a separate entry on each bill, in  
271 which case the fee must be identified as a fee for E911  
272 services. A provider shall remit the fee only if the fee is paid  
273 by the subscriber. If a provider receives a partial payment for  
274 a monthly bill from a subscriber, the amount received shall  
275 first be applied to the payment due the provider for the  
276 provision of telecommunications service.

277 (b) In the case of prepaid wireless telephone service, the  
278 monthly wireless 911 surcharge imposed by subsection (8) shall  
279 be remitted based upon each prepaid wireless telephone  
280 associated with this state, for each wireless service customer  
281 that has a sufficient positive balance as of the last day of  
282 each month. The surcharge shall be remitted in any manner  
283 consistent with the wireless provider's existing operating or  
284 technological abilities, such as customer address, location  
285 associated with the MTN, or reasonable allocation method based  
286 upon other comparable relevant data. The surcharge amount or an  
287 equivalent number of minutes may be reduced from the prepaid  
288 subscriber's account since a direct billing may not be possible.  
289 However, collection of the wireless 911 surcharge in the manner  
290 of a reduction of value or minutes from the prepaid subscriber's  
291 account does not constitute a reduction in the sales price for  
292 purposes of taxes that are collected at the point of sale.

293 © ~~(b)~~ A provider is not obligated to take any legal  
294 action to enforce collection of the fees for which any  
295 subscriber is billed. The provider shall provide to the board  
296 each quarter a list of the names, addresses, and service numbers  
297 of all subscribers who have indicated to the provider their  
298 refusal to pay the fee.

299 (d) ~~(c)~~ Each provider may retain 1 percent of the amount of  
300 the fees collected as reimbursement for the administrative costs  
301 incurred by the provider to bill, collect, and remit the fee.  
302 The remainder shall be delivered to the board and deposited in  
303 the fund. The board shall distribute the remainder pursuant to  
304 s. 365.173.

305 (e) ~~(d)~~ Each provider shall deliver revenues from the fee

306 to the board within 60 days after the end of the month in which  
307 the fee was billed, together with a monthly report of the number  
308 of wireless customers whose place of primary use is in each  
309 county. A provider may apply to the board for a refund of, or  
310 may take a credit for, any fees remitted to the board which are  
311 not collected by the provider within 6 months following the  
312 month in which the fees are charged off for federal income tax  
313 purposes as bad debt. The board may waive the requirement that  
314 the fees and number of customers whose place of primary use is  
315 in each county be submitted to the board each month and  
316 authorize a provider to submit the fees and number of customers  
317 quarterly if the provider demonstrates that such waiver is  
318 necessary and justified.

319 (f) ~~(f)~~ For purposes of this section, the definitions  
320 contained in s. 202.11 and the provisions of s. 202.155 apply in  
321 the same manner and to the same extent as such definitions and  
322 provisions apply to the taxes levied pursuant to chapter 202 on  
323 mobile communications services.

324 (g) ~~(g)~~ As used in this subsection, the term “provider”  
325 includes any person or entity that resells wireless service and  
326 was not assessed the fee by its resale supplier.

327 (11) FACILITATING E911 SERVICE  
328 IMPLEMENTATION.—Notwithstanding any other law or local  
329 ordinance to the contrary:

330 (a) Co-location among wireless telephone service providers  
331 is encouraged by the state. To further facilitate agreements  
332 among providers for co-location of their facilities, any antennae  
333 and related equipment to service the antennae that is being  
334 co-located on an existing above-ground structure is not subject  
335 to land development regulation pursuant to s. 163.3202, provided  
336 the height of the existing structure is not increased. However,  
337 construction of the antennae and related equipment is subject to  
338 local building regulations and any existing permits or  
339 agreements for such property, buildings, or structures. Nothing  
340 herein shall relieve the permit holder for or owner of the  
341 existing structure of compliance with any applicable condition  
342 or requirement of a permit, agreement, or land development  
343 regulation, including any aesthetic requirements, or law.

344 (b) Local governments shall not require providers to  
345 provide evidence of a wireless communications facility’s  
346 compliance with federal regulations. However, local governments  
347 shall receive evidence of proper Federal Communications  
348 Commission licensure from a provider and may request the Federal  
349 Communications Commission to provide information as to a  
350 provider’s compliance with federal regulations, as authorized by  
351 federal law.

352 ©1. A local government shall grant or deny a properly  
353 completed application for a permit, including permits under  
354 paragraph (a), for the co-location of a wireless communications  
355 facility on property, buildings, or structures within the local  
356 government’s jurisdiction within 45 business days after the date  
357 the properly completed application is initially submitted in  
358 accordance with the applicable local government application  
359 procedures, provided that such permit complies with applicable  
360 federal regulations and applicable local zoning or land  
361 development regulations, including any aesthetic requirements.  
362 Local building regulations shall apply.

363 2. A local government shall grant or deny a properly  
364 completed application for a permit for the siting of a new  
365 wireless tower or antenna on property, buildings, or structures  
366 within the local government’s jurisdiction within 90 business  
367 days after the date the properly completed application is

368 initially submitted in accordance with the applicable local  
369 government application procedures, provided that such permit  
370 complies with applicable federal regulations and applicable  
371 local zoning or land development regulations, including any  
372 aesthetic requirements. Local building regulations shall apply.

373 3.a. The local government shall notify the permit  
374 applicant within 20 business days after the date the application  
375 is submitted as to whether the application is, for  
376 administrative purposes only, properly completed and has been  
377 properly submitted. However, such determination shall not be  
378 deemed as an approval of the application. Such notification  
379 shall indicate with specificity any deficiencies which, if  
380 cured, shall make the application properly completed.

381 b. If the local government fails to grant or deny a  
382 properly completed application for a permit which has been  
383 properly submitted within the timeframes set forth in this  
384 paragraph, the permit shall be deemed automatically approved and  
385 the provider may proceed with placement of such facilities  
386 without interference or penalty. The timeframes specified in  
387 subparagraphs 1. and 2. shall be extended only to the extent  
388 that the permit has not been granted or denied because the local  
389 government's procedures generally applicable to all permits,  
390 require action by the governing body and such action has not  
391 taken place within the timeframes specified in subparagraphs 1.  
392 and 2. Under such circumstances, the local government must act  
393 to either grant or deny the permit at its next regularly  
394 scheduled meeting or, otherwise, the permit shall be deemed to  
395 be automatically approved.

396 c. To be effective, a waiver of the timeframes set forth  
397 herein must be voluntarily agreed to by the applicant and the  
398 local government. A local government may request, but not  
399 require, a waiver of the timeframes by an entity seeking a  
400 permit, except that, with respect to a specific permit, a one-  
401 time waiver may be required in the case of a declared local,  
402 state, or federal emergency that directly affects the  
403 administration of all permitting activities of the local  
404 government.

405 (d) Any additional wireless communications facilities,  
406 such as communication cables, adjacent accessory structures, or  
407 adjacent accessory equipment used in the provision of cellular,  
408 enhanced specialized mobile radio, or personal communications  
409 services, required within the existing secured equipment  
410 compound within the existing site shall be deemed a permitted  
411 use or activity. Local building and land development  
412 regulations, including any aesthetic requirements, shall apply.

413 (e) Any other provision of law to the contrary  
414 notwithstanding, the Department of Management Services shall  
415 negotiate, in the name of the state, leases for wireless  
416 communications facilities that provide access to state  
417 government-owned property not acquired for transportation  
418 purposes, and the Department of Transportation shall negotiate,  
419 in the name of the state, leases for wireless communications  
420 facilities that provide access to property acquired for state  
421 rights-of-way. On property acquired for transportation purposes,  
422 leases shall be granted in accordance with s. 337.251. On other  
423 state government-owned property, leases shall be granted on a  
424 space available, first-come, first-served basis. Payments  
425 required by state government under a lease must be reasonable  
426 and must reflect the market rate for the use of the state  
427 government-owned property. The Department of Management Services  
428 and the Department of Transportation are authorized to adopt  
429 rules for the terms and conditions and granting of any such

430 leases.

431 (f) Any wireless telephone service provider may report to  
432 the board no later than September 1, 2003, the specific  
433 locations or general areas within a county or municipality where  
434 the provider has experienced unreasonable delay to locate  
435 wireless telecommunications facilities necessary to provide the  
436 needed coverage for compliance with federal Phase II E911  
437 requirements using its own network. The provider shall also  
438 provide this information to the specifically identified county  
439 or municipality no later than September 1, 2003. Unless the  
440 board receives no report that unreasonable delays have occurred,  
441 the board shall, no later than September 30, 2003, establish a  
442 subcommittee responsible for developing a balanced approach  
443 between the ability of providers to locate wireless facilities  
444 necessary to comply with federal Phase II E911 requirements  
445 using the carrier's own network and the desire of counties and  
446 municipalities to zone and regulate land uses to achieve public  
447 welfare goals. If a subcommittee is established, it shall  
448 include representatives from the Florida Telecommunications  
449 Industry Association, the Florida Association of Counties, and  
450 the Florida League of Cities. The subcommittee shall be charged  
451 with developing recommendations for the board and any  
452 specifically identified municipality or county to consider  
453 regarding actions to be taken for compliance for federal Phase  
454 II E911 requirements. In the annual report due to the Governor  
455 and the Legislature by February 28, 2004, the board shall  
456 include any recommendations developed by the subcommittee to  
457 address compliance with federal Phase II E911 requirements.

458 Section 2. Paragraph (b) of subsection (2) of section  
459 365.173, Florida Statutes, is amended to read:

460 365.173 Wireless Emergency Telephone System Fund.—

461 (2) Subject to any modifications approved by the board  
462 pursuant to s. 365.172(8)©, the moneys in the fund shall be  
463 distributed and used only as follows:

464 (b) Fifty-four percent of the moneys shall be distributed  
465 in response to sworn invoices submitted to the board by  
466 providers to reimburse such providers for the actual costs  
467 incurred to provide 911 or E911 service, including the costs of  
468 complying with the order. Such costs include costs and expenses  
469 incurred by providers to design, purchase, lease, program,  
470 install, test, upgrade, operate, and maintain all necessary  
471 data, hardware, and software required to provide E911 service.  
472 Up to 2 percent of the funds allocated to providers shall be  
473 retained by the board to be applied to costs and expenses  
474 incurred for the purposes of managing, administering, and  
475 overseeing the receipts and disbursements from the fund and  
476 other activities as defined in s. 365.172(6). Any funds retained  
477 for such purposes in a calendar year which are not applied to  
478 such costs and expenses by March 31 of the following year shall  
479 be distributed to providers pursuant to this paragraph.  
480 Beginning in state fiscal year 2000-2001, each provider shall  
481 submit to the board, by August 1 of each year, a detailed  
482 estimate of the capital and operating expenses for which it  
483 anticipates that it will seek reimbursement under this paragraph  
484 during the ensuing state fiscal year. By September 15 of each  
485 year, the board shall submit to the Legislature its legislative  
486 budget request for funds to be allocated to providers under this  
487 paragraph during the ensuing state fiscal year. The budget  
488 request shall be based on the information submitted by the  
489 providers and estimated surcharge revenues. Distributions of  
490 moneys in the fund by the board to providers must be fair and  
491 nondiscriminatory. If the total amount of moneys requested by



492 providers pursuant to invoices submitted to the board and  
493 approved for payment exceeds the amount in the fund in any  
494 month, providers that have invoices approved for payment shall  
495 receive a pro rata share of moneys in the fund and the balance  
496 of the payments shall be carried over to the following month or  
497 months until all of the approved payments are made. The board  
498 may adopt rules necessary to address the manner in which pro  
499 rata distributions are made when the total amount of funds  
500 requested by providers pursuant to invoices submitted to the  
501 board exceeds the total amount of moneys on deposit in the fund.  
502

503 The Legislature recognizes that the wireless E911 fee authorized  
504 under s. 365.172 will not necessarily provide the total funding  
505 required for establishing or providing the 911 service. It is  
506 the intent of the Legislature that all revenue from the fee be  
507 used as specified in s. 365.171(13)(a)6.

508 Section 3. Section 365.175, Florida Statutes, is created  
509 to read:

510 365.175 Emergency Telephone Number 911 Private Branch  
511 Exchange-Private Switch Automatic Location Identification.—

512 (1) DEFINITIONS.—As used in this section, the term:

513 (a) “Automatic location identification” or “ALI” means the  
514 automatic display at the Public Safety Answering Point (PSAP) of  
515 the caller’s telephone number, the address or location of the  
516 telephone, and supplementary emergency services information.

517 (b) “Automatic location identification retrieval” or “ALI  
518 retrieval” means the process of querying the 9-1-1 database for  
519 ALI records.

520 (c) “Automatic number identification” or “ANI” means the  
521 telephone number associated with the access line from which a  
522 call originates.

523 (d) “Private branch exchange” or “PBX” means a private  
524 telephone system that is connected to the Public Switched  
525 Telephone Network (PSTN).

526 (e) “Private switch ALI” or “PSA” means a service option  
527 which provides enhanced 9-1-1 features for telephone stations  
528 behind private switches, e.g., PBX’s.

529 (2) REQUIRED ALI CAPABILITY.—Each PBX system installed  
530 after January 1, 2004, must be capable of providing automatic  
531 location identification to the station level.

532 Section 4. **This act shall take effect July 1, 2003.**