

SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 291

AN ACT

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

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI,
AS FOLLOWS:

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2 RSMo, are repealed and four new sections enacted in lieu thereof,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

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

16 2. Such county commission may, by a majority vote of its

1 members, submit to the voters of the county, at a public
2 election, a proposal to authorize the county commission to impose
3 a tax under the provisions of this section. If the residents of
4 the county present a petition signed by a number of residents
5 equal to ten percent of those in the county who voted in the most
6 recent gubernatorial election, then the commission shall submit
7 such a proposal to the voters of the county.

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

10 Shall the county of _____ (insert name of county) impose a
11 county sales tax of _____ (insert rate of percent) percent for
12 the purpose of providing central dispatching of fire protection,
13 emergency ambulance service, including emergency telephone
14 services, and other emergency services?

15 YES NO

16
17 If a majority of the votes cast on the proposal by the qualified
18 voters voting thereon are in favor of the proposal, then the
19 ordinance shall be in effect as provided herein. If a majority
20 of the votes cast by the qualified voters voting are opposed to
21 the proposal, then the county commission shall have no power to
22 impose the tax authorized by this section unless and until the
23 county commission shall again have submitted another proposal to
24 authorize the county commission to impose the tax under the
25 provisions of this section, and such proposal is approved by a
26 majority of the qualified voters voting thereon.

27 4. The sales tax may be imposed at a rate not to exceed one
28 percent on the receipts from the sale at retail of all tangible

1 personal property or taxable services at retail within any county
2 adopting such tax, if such property and services are subject to
3 taxation by the state of Missouri under the provisions of
4 sections 144.010 to 144.525. The sales tax shall not be collected
5 prior to thirty-six months before operation of the central
6 dispatching of emergency services.

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

10 6. Any tax imposed pursuant to section 190.305 shall
11 terminate at the end of the tax year in which the tax imposed
12 pursuant to this section for emergency services is certified by
13 the board to be fully operational. Any revenues collected from
14 the tax authorized under section 190.305 shall be credited for
15 the purposes for which they were intended.

16 7. At least once each calendar year, the board, as
17 established by subsection 11 of this section, shall establish a
18 tax rate, not to exceed the amount authorized, that together with
19 any surplus revenues carried forward will produce sufficient
20 revenues to fund the expenditures authorized by sections 190.290
21 to 190.296. Amounts collected in excess of that necessary within
22 a given year shall be carried forward to subsequent years. The
23 board shall make its determination of such tax rate each year no
24 later than September first and shall fix the new rate which shall
25 be collected as provided in sections 190.290 to 190.296.
26 Immediately upon making its determination and fixing the rate,
27 the board shall publish in its minutes the new rate, and it shall
28 notify every retailer by mail of the new rate.

1 8. Immediately upon the affirmative vote of voters of such
2 a county on the ballot proposal to establish a county sales tax
3 pursuant to the provisions of this section, the county commission
4 shall appoint the initial members of a board to administer the
5 funds and oversee the provision of emergency services in the
6 county. Beginning with the general election in 1994, all board
7 members shall be elected according to this section and other
8 applicable laws of this state. At the time of the appointment of
9 the initial members of the board, the commission shall relinquish
10 and no longer exercise the duties prescribed in this chapter with
11 regard to the provision of emergency services and such duties
12 shall be exercised by the board.

13 9. The initial board shall consist of seven members
14 appointed without regard to political affiliation, three of whom
15 shall be selected from, and who shall represent, the fire
16 protection districts, ambulance districts, sheriff's department,
17 municipalities, and any other emergency services. Four of the
18 members of the board shall not be selected from or represent the
19 fire protection districts, ambulance districts, sheriff's
20 department, municipalities, or any other emergency services. Any
21 individual serving on the board on August 28, 2004, may continue
22 to serve and seek reelection or reappointment to the board,
23 notwithstanding any provisions of this subsection. This initial
24 board shall serve until its successor board is duly elected and
25 installed in office. The commission shall ensure geographic
26 representation of the county by appointing no more than four
27 members from each district of the county commission.

28 10. Beginning in 1994, three members shall be elected from

1 each district of the county commission and one member shall be
2 elected at large. The members of the board shall annually elect,
3 from among their number, the chairman of the board. Of those
4 first elected, four members from districts of the county
5 commission shall be elected for terms of two years and two
6 members from districts of the county commission and the member at
7 large shall be elected for terms of four years. In 1996, and
8 thereafter, all terms of office shall be four years. The
9 election of the board members shall be conducted at the first
10 municipal election held in a calendar year.

11 11. When the board is organized, it shall be a body
12 corporate and a political subdivision of the state and shall be
13 known as the "_____ Emergency Services Board".

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

18 13. A purchase that provides prepaid wireless
19 telecommunications service, as such term is defined in section
20 190.460, is specifically exempted from the tax imposed under this
21 section or section 190.335 if such county did not prohibit the
22 prepaid wireless emergency telephone service charge as allowed in
23 subsection 6 of section 190.460 or votes to impose the prepaid
24 wireless emergency telephone service charge as allowed under
25 subsection 7 of section 190.460.

26 190.335. 1. In lieu of the tax levy authorized under
27 section 190.305 for emergency telephone services, the county
28 commission of any county may impose a county sales tax for the

1 provision of central dispatching of fire protection, including
2 law enforcement agencies, emergency ambulance service or any
3 other emergency services, including emergency telephone services,
4 which shall be collectively referred to herein as "emergency
5 services", and which may also include the purchase and
6 maintenance of communications and emergency equipment, including
7 the operational costs associated therein, in accordance with the
8 provisions of this section.

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

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

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

25 YES NO

26 If a majority of the votes cast on the proposal by the qualified
27 voters voting thereon are in favor of the proposal, then the
28 ordinance shall be in effect as provided herein. If a majority

1 of the votes cast by the qualified voters voting are opposed to
2 the proposal, then the county commission shall have no power to
3 impose the tax authorized by this section unless and until the
4 county commission shall again have submitted another proposal to
5 authorize the county commission to impose the tax under the
6 provisions of this section, and such proposal is approved by a
7 majority of the qualified voters voting thereon.

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

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

19 6. Any tax imposed pursuant to section 190.305 shall
20 terminate at the end of the tax year in which the tax imposed
21 pursuant to this section for emergency services is certified by
22 the board to be fully operational. Any revenues collected from
23 the tax authorized under section 190.305 shall be credited for
24 the purposes for which they were intended.

25 7. At least once each calendar year, the board shall
26 establish a tax rate, not to exceed the amount authorized, that
27 together with any surplus revenues carried forward will produce
28 sufficient revenues to fund the expenditures authorized by this

1 act. Amounts collected in excess of that necessary within a
2 given year shall be carried forward to subsequent years. The
3 board shall make its determination of such tax rate each year no
4 later than September first and shall fix the new rate which shall
5 be collected as provided in this act. Immediately upon making
6 its determination and fixing the rate, the board shall publish in
7 its minutes the new rate, and it shall notify every retailer by
8 mail of the new rate.

9 8. Immediately upon the affirmative vote of voters of such
10 a county on the ballot proposal to establish a county sales tax
11 pursuant to the provisions of this section, the county commission
12 shall appoint the initial members of a board to administer the
13 funds and oversee the provision of emergency services in the
14 county. Beginning with the general election in 1994, all board
15 members shall be elected according to this section and other
16 applicable laws of this state. At the time of the appointment of
17 the initial members of the board, the commission shall relinquish
18 and no longer exercise the duties prescribed in this chapter with
19 regard to the provision of emergency services and such duties
20 shall be exercised by the board.

21 9. The initial board shall consist of seven members
22 appointed without regard to political affiliation, who shall be
23 selected from, and who shall represent, the fire protection
24 districts, ambulance districts, sheriff's department,
25 municipalities, any other emergency services and the general
26 public. This initial board shall serve until its successor board
27 is duly elected and installed in office. The commission shall
28 ensure geographic representation of the county by appointing no

1 more than four members from each district of the county
2 commission.

3 10. Beginning in 1994, three members shall be elected from
4 each district of the county commission and one member shall be
5 elected at large, such member to be the chairman of the board.
6 Of those first elected, four members from districts of the county
7 commission shall be elected for terms of two years and two
8 members from districts of the county commission and the member at
9 large shall be elected for terms of four years. In 1996, and
10 thereafter, all terms of office shall be four years; provided
11 that, if a board established under this section consolidates with
12 a board established under this section, section 190.327, or
13 section 190.328, under the provisions of section 190.470, the
14 term of office for the existing board members shall end on the
15 thirtieth day following the appointment of the initial board of
16 directors for the consolidated district. Notwithstanding any
17 other provision of law, if there is no candidate for an open
18 position on the board, then no election shall be held for that
19 position and it shall be considered vacant, to be filled pursuant
20 to the provisions of section 190.339, and, if there is only one
21 candidate for each open position, no election shall be held and
22 the candidate or candidates shall assume office at the same time
23 and in the same manner as if elected.

24 11. Notwithstanding the provisions of subsections 8 to 10
25 of this section to the contrary, in any county of the first
26 classification with more than two hundred forty thousand three
27 hundred but fewer than two hundred forty thousand four hundred
28 inhabitants or in any county of the third classification with a

1 township form of government and with more than twenty-eight
2 thousand but fewer than thirty-one thousand inhabitants or in any
3 county of the third classification without a township form of
4 government and with more than thirty-seven thousand but fewer
5 than forty-one thousand inhabitants and with a city of the fourth
6 classification with more than four thousand five hundred but
7 fewer than five thousand inhabitants as the county seat, any
8 emergency telephone service 911 board appointed by the county
9 under section 190.309 which is in existence on the date the
10 voters approve a sales tax under this section shall continue to
11 exist and shall have the powers set forth under section 190.339.
12 Such boards which existed prior to August 25, 2010, shall not be
13 considered a body corporate and a political subdivision of the
14 state for any purpose, unless and until an order is entered upon
15 an unanimous vote of the commissioners of the county in which
16 such board is established reclassifying such board as a corporate
17 body and political subdivision of the state. The order shall
18 approve the transfer of the assets and liabilities related to the
19 operation of the emergency telephone service 911 system to the
20 new entity created by the reclassification of the board.

21 12. (1) Notwithstanding the provisions of subsections 8 to
22 10 of this section to the contrary, in any county of the second
23 classification with more than fifty-four thousand two hundred but
24 fewer than fifty-four thousand three hundred inhabitants or any
25 county of the first classification with more than fifty thousand
26 but fewer than seventy thousand inhabitants that has approved a
27 sales tax under this section, the county commission shall appoint
28 the members of the board to administer the funds and oversee the

1 provision of emergency services in the county.

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

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

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

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

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

13 (e) The head of any of the county's emergency management
14 organizations, or a designee.

15 (3) Upon the appointment of the board under this
16 subsection, the board shall have the power provided in section
17 190.339 and shall exercise all powers and duties exercised by the
18 county commission under this chapter, and the commission shall
19 relinquish all powers and duties relating to the provision of
20 emergency services under this chapter to the board.

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

25 (5) In any county with more than fifty thousand but fewer
26 than seventy thousand inhabitants and with a county seat with
27 more than two thousand one hundred but fewer than two thousand
28 four hundred inhabitants, the entities listed in subdivision (2)

1 of this subsection shall be represented by one member, and two
2 members shall be residents of the county not affiliated with any
3 of the entities listed in subdivision (2) of this subsection and
4 shall be known as public members.

5 13. Any county that has authorized a tax levy under this
6 section, and such levy is reduced automatically [in future years]
7 ten years after approval of such levy, shall not submit to the
8 voters of the county for approval any proposal authorized under
9 this section that is greater than the amount at the time of
10 reduction.

11 14. A purchase that provides prepaid wireless
12 telecommunications service, as such term is defined in section
13 190.460, is specifically exempted from the tax imposed under this
14 section or section 190.292 if such county did not prohibit the
15 prepaid wireless emergency telephone service charge as allowed in
16 subsection 6 of section 190.460 or votes to impose the prepaid
17 wireless emergency telephone service charge as allowed under
18 subsection 7 of section 190.460.

19 190.460. 1. As used in this section, the following terms
20 mean:

21 (1) "Board", the Missouri 911 service board established
22 under section 650.325;

23 (2) "Consumer", a person who purchases prepaid wireless
24 telecommunications service in a retail transaction;

25 (3) "Department", the department of revenue;

26 (4) "Prepaid wireless service provider", a provider that
27 provides prepaid wireless service to an end user;

28 (5) "Prepaid wireless telecommunications service", a

1 wireless telecommunications service that allows a caller to dial
2 911 to access the 911 system and which service shall be paid for
3 in advance and is sold in predetermined units or dollars of which
4 the number declines with use in a known amount;

5 (6) "Retail transaction", the purchase of prepaid wireless
6 telecommunications service from a seller for any purpose other
7 than resale. The purchase of more than one item that provides
8 prepaid wireless telecommunication service, when such items are
9 sold separately, constitutes more than one retail transaction;

10 (7) "Seller", a person who sells prepaid wireless
11 telecommunications service to another person;

12 (8) "Wireless telecommunications service", commercial
13 mobile radio service as defined by 47 CFR 20.3, as amended.

14 2. (1) Beginning January 1, 2019, there is hereby imposed
15 a prepaid wireless emergency telephone service charge on each
16 retail transaction. The amount of such charge shall be equal to
17 three percent of the amount of each retail transaction [over the
18 minimal amount. However, if a minimal amount of prepaid wireless
19 telecommunications service is sold with a prepaid wireless device
20 for a single nonitemized price, the seller may elect not to apply
21 such service charge to such transaction. For purposes of this
22 subdivision, an amount of service denominated as less than
23 fifteen dollars is minimal]. The first fifteen dollars of each
24 retail transaction shall not be subject to the service charge.

25 (2) When prepaid wireless telecommunications service is
26 sold with one or more products or services for a single, non-
27 itemized price, the prepaid wireless emergency telephone service
28 charge set forth in subdivision (1) of this subsection shall

1 apply to the entire non-itemized price unless the seller elects
2 to apply such service charge in the following way:

3 (a) If the amount of the prepaid wireless
4 telecommunications service is disclosed to the consumer as a
5 dollar amount, three percent of such dollar amount; or

6 (b) If the seller can identify the portion of the price
7 that is attributable to the prepaid wireless telecommunications
8 service by reasonable and verifiable standards from the seller's
9 books and records that are kept in the regular course of business
10 for other purposes including, but not limited to non-tax
11 purposes, three percent of such portion;

12
13 The first fifteen dollars of each transaction under this
14 subdivision shall not be subject to the service charge.

15 (3) The prepaid wireless emergency telephone service charge
16 shall be collected by the seller from the consumer with respect
17 to each retail transaction occurring in this state. The amount
18 of the prepaid wireless emergency telephone service charge shall
19 be either separately stated on an invoice, receipt, or other
20 similar document that is provided to the consumer by the seller
21 or otherwise disclosed to the consumer.

22 [(3)] (4) For purposes of this subsection, a retail
23 transaction that is effected in person by a consumer at a
24 business location of the seller shall be treated as occurring in
25 this state if that business location is in this state, and any
26 other retail transaction shall be treated as occurring in this
27 state if the retail transaction is treated as occurring [in this
28 state under state law] under chapter 144.

1 [(4)] (5) The prepaid wireless emergency telephone service
2 charge is the liability of the consumer and not of the seller or
3 of any provider; except that, the seller shall be liable to remit
4 all charges that the seller collects or is deemed to collect [if
5 the amount of the charge has not been separately stated on an
6 invoice, receipt, or other similar document provided to the
7 consumer by the seller].

8 [(5)] (6) The amount of the prepaid wireless emergency
9 telephone service charge that is collected by a seller from a
10 consumer, if such amount is separately stated on an invoice,
11 receipt, or other similar document provided to the consumer by
12 the seller, shall not be included in the base for measuring any
13 tax, fee, surcharge, or other charge that is imposed by this
14 state, any political subdivision of this state, or any
15 intergovernmental agency.

16 3. (1) Prepaid wireless emergency telephone service
17 charges collected by sellers shall be remitted to the department
18 at the times and in the manner provided by state law with respect
19 to sales and use taxes. The department shall establish
20 registration and payment procedures that substantially coincide
21 with the registration and payment procedures that apply under
22 state law. On or after the effective date of the service charge
23 imposed under the provisions of this section, the director of the
24 department of revenue shall perform all functions incident to the
25 administration, collection, enforcement, and operation of the
26 service charge, and the director shall collect, in addition to
27 the sales tax for the state of Missouri, all additional service
28 charges imposed in this section. All service charges imposed

1 under this section together with all taxes imposed under the
2 sales tax law of the state of Missouri shall be collected
3 together and reported upon such forms and under such
4 administrative rules and regulations as may be prescribed by the
5 director. All applicable provisions contained in sections
6 144.010 to 144.525 governing the state sales tax and section
7 32.057 shall apply to the collection of any service charges
8 imposed under this section except as modified.

9 (2) Beginning on January 1, 2019, and ending on January 31,
10 2019, when a consumer purchases prepaid wireless
11 telecommunications service in a retail transaction from a seller
12 under this section, the seller shall be allowed to retain one
13 hundred percent of the prepaid wireless emergency telephone
14 service charges that are collected by the seller from the
15 consumer. Beginning on February 1, 2019, a seller shall be
16 permitted to deduct and retain three percent of prepaid wireless
17 emergency telephone service charges that are collected by the
18 seller from consumers.

19 (3) The department shall establish procedures by which a
20 seller of prepaid wireless telecommunications service may
21 document that a sale is not a retail transaction, which
22 procedures shall substantially coincide with the procedures for
23 documenting sale for resale transactions for sales and use
24 purposes under state law.

25 (4) The department shall deposit all remitted prepaid
26 wireless emergency telephone service charges into the general
27 revenue fund for the department's use until eight hundred
28 thousand one hundred fifty dollars is collected to reimburse its

1 direct costs of administering the collection and remittance of
2 prepaid wireless emergency telephone service charges. From then
3 onward, the department shall deposit all remitted prepaid
4 wireless emergency telephone service charges into the Missouri
5 911 service trust fund created under section 190.420 within
6 thirty days of receipt for use by the board. After the initial
7 eight hundred thousand one hundred fifty dollars is collected,
8 the department may deduct an amount not to exceed one percent of
9 collected charges to be retained by the department to reimburse
10 its direct costs of administering the collection and remittance
11 of prepaid wireless emergency telephone service charges.

12 (5) The board shall set a rate between twenty-five and one
13 hundred percent of the prepaid wireless emergency telephone
14 service charges deposited in the Missouri 911 service trust fund
15 collected in counties without a charter form of government, less
16 the deductions authorized in subdivision (4) of this subsection,
17 that shall be remitted to such counties in direct proportion to
18 the amount of charges collected in each county. The board shall
19 set a rate between sixty-five and one hundred percent of the
20 prepaid wireless emergency telephone service charges deposited in
21 the Missouri 911 service trust fund collected in counties with a
22 charter form of government and any city not within a county, less
23 the deductions authorized in subdivision (4) of this subsection,
24 that shall be remitted to each such county or city not within a
25 county in direct proportion to the amount of charges collected in
26 each such county or city not within a county. If a county has an
27 elected emergency services board, the Missouri 911 service board
28 shall remit the funds to the elected emergency services board.

1 The initial percentage rate set by the board for counties with
2 and without a charter form of government and any city not within
3 a county shall be set by June thirtieth of each applicable year
4 and may be adjusted [after three years, and thereafter the rate
5 may be adjusted every two] annually for the first three years,
6 and thereafter the rate may be adjusted every three years;
7 however, at no point shall the board set rates that fall below
8 twenty-five percent for counties without a charter form of
9 government and sixty-five percent for counties with a charter
10 form of government and any city not within a county.

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

18 4. (1) A seller that is not a provider shall be entitled
19 to the immunity and liability protections under section 190.455,
20 notwithstanding any requirement in state law regarding compliance
21 with Federal Communications Commission Order 05-116.

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

24 (3) In addition to the protection from liability provided
25 in subdivisions (1) and (2) of this subsection, each provider and
26 seller and its officers, employees, assigns, agents, vendors, or
27 anyone acting on behalf of such persons shall be entitled to the
28 further protection from liability, if any, that is provided to

1 providers and sellers of wireless telecommunications service that
2 is not prepaid wireless telecommunications service under section
3 190.455.

4 5. The prepaid wireless emergency telephone service charge
5 imposed by this section shall be in addition to any other tax,
6 fee, surcharge, or other charge imposed by this state, any
7 political subdivision of this state, or any intergovernmental
8 agency for 911 funding purposes[, except that such prepaid
9 wireless emergency telephone service charge shall be charged in
10 lieu of, and not imposed in addition to, any tax imposed under
11 section 190.292 or 190.335].

12 6. The provisions of this section shall become effective
13 unless the governing body of a county or city adopts an
14 ordinance, order, rule, resolution, or regulation by at least a
15 two-thirds vote prohibiting the charge established under this
16 section from becoming effective in the county or city at least
17 forty-five days prior to the effective date of this section. If
18 the governing body does adopt such ordinance, order, rule,
19 resolution, or regulation by at least a two-thirds vote, the
20 charge shall not be collected and the county or city shall not be
21 allowed to obtain funds from the Missouri 911 service trust fund
22 that are remitted to the fund under the charge established under
23 this section. The Missouri 911 service board shall, by September
24 1, 2018, notify all counties and cities of the implementation of
25 the charge established under this section, and the procedures set
26 forth under this subsection for prohibiting the charge from
27 becoming effective.

28 7. Any county or city which prohibited the prepaid wireless

1 emergency telephone service charge pursuant to the provisions of
2 subsection 6 of this section may take a vote of the governing
3 body, and notify the department of revenue of the result of such
4 vote, by November 15, 2019, to impose such charge effective
5 January 1, 2020. A vote of at least two-thirds of the governing
6 body is required in order to impose such charge. The department
7 shall notify the board of notices received by December 1, 2019.

8 8. The prepaid wireless emergency telephone service charge
9 imposed by this section shall expire on January 1, [2023] 2024.

10 650.330. 1. The board shall consist of fifteen members,
11 one of which shall be chosen from the department of public
12 safety, and the other members shall be selected as follows:

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

15 (2) One member chosen to represent the Missouri 911
16 Directors Association;

17 (3) One member chosen to represent emergency medical
18 services and physicians;

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

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

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

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

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

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

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

9 (11) One member chosen to represent telecommunications
10 service providers;

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

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

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

17 2. Each of the members of the board shall be appointed by
18 the governor with the advice and consent of the senate for a term
19 of four years. Members of the committee may serve multiple
20 terms. No corporation or its affiliate shall have more than one
21 officer, employee, assign, agent, or other representative serving
22 as a member of the board. Notwithstanding subsection 1 of this
23 section to the contrary, all members appointed as of August 28,
24 2017, shall continue to serve the remainder of their terms.

25 3. The board shall meet at least quarterly at a place and
26 time specified by the chairperson of the board and it shall keep
27 and maintain records of such meetings, as well as the other
28 activities of the board. Members shall not be compensated but

1 shall receive actual and necessary expenses for attending
2 meetings of the board.

3 4. The board shall:

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

6 (2) Provide recommendations for primary answering points
7 and secondary answering points on technical and operational
8 standards for 911 services;

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

11 (4) Provide requested mediation services to political
12 subdivisions involved in jurisdictional disputes regarding the
13 provision of 911 services, except that the board shall not
14 supersede decision-making authority of local political
15 subdivisions in regard to 911 services;

16 (5) Provide assistance to the governor and the general
17 assembly regarding 911 services;

18 (6) Review existing and proposed legislation and make
19 recommendations as to changes that would improve such
20 legislation;

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

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

28 (9) Designate a state 911 coordinator who shall be

1 responsible for overseeing statewide 911 operations and ensuring
2 compliance with federal grants for 911 funding;

3 (10) Elect the chair from its membership;

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

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

10 (13) Conduct and review an annual survey of public safety
11 answering points in Missouri to evaluate potential for improved
12 services, coordination, and feasibility of consolidation;

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

18 (15) Develop a plan and timeline of target dates for the
19 testing, implementation, and operation of a next-generation 911
20 system throughout Missouri. The next-generation 911 system shall
21 allow for the processing of electronic messages including, but
22 not limited to, electronic messages containing text, images,
23 video, or data;

24 (16) Administer and authorize grants and loans under
25 section 650.335 to those counties and any home rule city with
26 more than fifteen thousand but fewer than seventeen thousand
27 inhabitants and partially located in any county of the third
28 classification without a township form of government and with

1 more than thirty-seven thousand but fewer than forty-one thousand
2 inhabitants that can demonstrate a financial commitment to
3 improving 911 services by providing at least a fifty percent
4 match and demonstrate the ability to operate and maintain ongoing
5 911 services. The purpose of grants and loans from the 911
6 service trust fund shall include:

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

9 (b) Promotion of consolidation where appropriate;

10 (c) Mapping and addressing all county locations;

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

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

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

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

24 (18) Set the percentage rate of the prepaid wireless
25 emergency telephone service charges to be remitted to a county or
26 city as provided under subdivision (5) of subsection 3 of section
27 190.460;

28 (19) Retain in its records proposed county plans developed

1 under subsection 10 of section 190.455 and notify the department
2 of revenue that the county has filed a plan that is ready for
3 implementation;

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

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

13 (22) In coordination with existing public safety answering
14 points, by December 31, 2018, designate no more than eleven
15 regional 911 coordination centers which shall coordinate
16 statewide interoperability among public safety answering points
17 within their region through the use of a statewide 911 emergency
18 services network; and

19 (23) Establish an annual budget, retain records of all
20 revenue and expenditures made, retain minutes of all meetings and
21 subcommittees, post records, minutes, and reports on the board's
22 web page on the department of public safety website.

23 5. The department of public safety shall provide staff
24 assistance to the board as necessary in order for the board to
25 perform its duties pursuant to sections 650.320 to 650.340. The
26 board shall have the authority to hire consultants to administer
27 the provisions of sections 650.320 to 650.340.

28 6. The board shall promulgate rules and regulations that

1 are reasonable and necessary to implement and administer the
2 provisions of sections 190.455, 190.460, 190.465, 190.470,
3 190.475, and sections 650.320 to 650.340. Any rule or portion of
4 a rule, as that term is defined in section 536.010, shall become
5 effective only if it has been promulgated pursuant to the
6 provisions of chapter 536. This section and chapter 536 are
7 nonseverable and if any of the powers vested with the general
8 assembly pursuant to chapter 536 to review, to delay the
9 effective date or to disapprove and annul a rule are subsequently
10 held unconstitutional, then the grant of rulemaking authority and
11 any rule proposed or adopted after August 28, 2017, shall be
12 invalid and void.

13 Section B. Because immediate action is necessary to provide
14 funding for emergency services in this state, section A of this
15 act is deemed necessary for the immediate preservation of the
16 public health, welfare, peace and safety, and is hereby declared
17 to be an emergency act within the meaning of the constitution,
18 and section A of this act shall be in full force and effect upon
19 its passage and approval.

20