

HB268 INTRODUCED



1 HB268
2 9J7AFMM-1
3 By Representative Ingram
4 RFD: County and Municipal Government
5 First Read: 15-Jan-26



SYNOPSIS:

Under existing law, 911 calls in the State of Alabama are handled by public safety answering centers that are directly supervised by local communication districts, which in turn are under the authority of the state 911 Board.

This bill would authorize the state 911 Board to monitor call statistics for a local communication district and to share data related to crime reporting with the Office of Attorney General.

This bill would provide that if the 911 Board determines from call data that a local communication district's emergency response is inadequate, that the 911 Board may undertake an investigation to determine the cause of inadequacy. If the district is unable to remedy the problem, the 911 Board may assume direct supervision of the public safety answering center operations until performance, based on certain metrics, improves.

This bill would further authorize the Attorney General to file a civil action to enforce the 911 Board's investigation of a local communication district or enforce the 911 Board's direct supervision of a district.



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A BILL

TO BE ENTITLED

AN ACT

Relating to 911 service; to add Section 11-98-4.3 to the Code of Alabama 1975, to authorize the state 911 Board to institute a system to measure the emergency response performance of local communication districts through the collection of call data; to authorize the state 911 Board to share data related to crimes reported with the Attorney General; to add Section 11-98-4.4 to the Code of Alabama 1975, to authorize the state 911 Board to audit local communication districts and to assume direct supervision of the district when required for public safety; and to authorize the Attorney General to bring a civil action to enforce the investigation or supervision of a district by the 911 Board.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Sections 11-98-4.3 and 11-98-4.4 are added to the Code of Alabama 1975, to read as follows:

§11-98-4.3

(a) For the purposes of this section and Section 11-98-4.4, the term "readiness" refers to the capability of a district, including a public safety answering point, to expedite the answering, receiving, and transferring of 911 calls and texts to efficiently dispatch the appropriate emergency service provider as soon as possible to a correct location where property or life may be in jeopardy.



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(b) The 911 Board shall establish a system that measures the readiness of district public safety services through the collection of data related to a district's answering, receiving, transferring, and dispatching functions relating to 911 calls, including voice, text messages, photos, and videos.

(c) The 911 Board shall collect data including, but not limited to, all of the following for each district in the state:

(1) 911 call volume.

(2) Time to answer 911 calls.

(3) Time to respond to emergency calls in accordance with Section 11-98-11.

(4) Answered emergency calls versus unanswered emergency calls.

(5) Dropped calls.

(6) Calls reporting a crime.

(d) The 911 Board shall adopt metrics for determining if a district's 911 service is performing at an acceptable level of readiness, requires improvement, or compromises public safety, based upon the data collected, adjusted for other factors relevant to each district, such as population, geographical area, crime rate, and availability of emergency service providers, and including complaints received pursuant to subsection (e).

(e) The 911 Board shall require each district to forward to the board any complaint received concerning the readiness of a district's 911 service, and the Attorney



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General shall also provide a toll-free hotline by which a resident complaint concerning the readiness of a district's 911 service may be submitted and forwarded to the 911 Board.

(f) The 911 Board, on a quarterly basis, shall provide the Attorney General with all data collected regarding the number and type of crime reports received in a district via 911 calls or texts.

(g) The system required to be established by this section may be funded as an advisory service pursuant to Section 11-98-5.2(b)(7)b. or from any outside source of funding received by the 911 Board.

(h) The 911 Board shall adopt rules in accordance with the Alabama Administrative Procedure Act which are necessary to implement the system described in this section.

§11-98-4.4

(a)(1) If the 911 Board determines, based upon a review of metrics, that a district is not performing at an acceptable level of readiness pursuant to Section 11-98-4.3(d), the 911 Board may audit the district, employing any of the following means as required:

a. Interviewing any individual who may have knowledge concerning district performance, including members of the district board of commissioners, the director of the PSAP, public safety telecommunicators, heads of local emergency service providers, first responders, and residents who have submitted a complaint.

b. On-site inspection of a PSAP, PSAP equipment or technical functionality, and monitoring PSAP operations in



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113 real time.

114 (2) An audit of a district may take as much time and
115 involve as many investigative resources as the circumstances
116 warrant. The 911 Board may determine, pursuant to a cursory
117 review or at the request of the Attorney General, that it is
118 in the interest of public safety to proceed immediately to a
119 determination by the 911 Board of appropriate remediation.

120 (b) (1) Based upon the 911 Board's determination as
121 provided in subsection (a), the 911 Board may prescribe
122 remedial measures to bring the district to an acceptable level
123 of readiness, including, but not limited to, any of the
124 following:

125 a. Training requirements for public safety
126 telecommunicators.

127 b. Replacement of personnel, including a director of a
128 PSAP or public safety telecommunicators.

129 c. Hiring additional public safety telecommunicators.

130 d. Upgrade of technology, including replacement or
131 acquisition of PSAP communications hardware or software.

132 e. Amendment of PSAP operating protocols, scripts, and
133 recordkeeping.

134 (2)a. As the result of an audit, the 911 Board may give
135 the district board of commissioners a remediation plan in
136 writing that prescribes benchmarks for improving readiness
137 which shall include required actions such as those listed in
138 subdivision (1), and may include metric targets, other goals
139 or measures, and compliance deadlines.

140 b. A remediation plan may recommend the replacement of



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a member of the district board of commissioners, but the board shall have no power to remove or replace a commissioner.

c. The project expenses of remediation measures that are prescribed may not exceed the funds available to a district from all available revenue sources.

(c) The 911 Board, upon written findings, may determine that the readiness of a district is such that public safety is compromised due to metrics that result from any of the following circumstances:

(1) District failure to cooperate with an audit.

(2) District failure to achieve compliance with a post-audit remediation plan in circumstances in which an extension of time for compliance would compromise public safety.

(3) District operational deficiencies are so systemic or unique that any plan of remediation would be impractical or inadequate to improve current public safety conditions in the district.

(d) (1) Upon making a written finding that the readiness of a district is such that public safety is compromised pursuant to subsection (c), the 911 Board shall assume direct operational supervision of a district by communication of notice in writing to the board of commissioners of the assumption of direct operational oversight by the 911 Board, to include all of the following:

a. The anticipated remediation measures to be undertaken by the 911 Board which were discovered by audit.

b. A statement that any other conditions or factors



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discovered by the 911 Board pursuant to its direct operational oversight which impair the district's performance at an acceptable level of readiness will also be remediated by the board.

c. The anticipated length of time, if known, until the 911 Board will return direct operational oversight of the district to the district board of commissioners.

(2) The 911 Board may take any action that is or would be prescribed to a district board of commissioners or PSAP by a remediation plan, including training, hiring, and terminating public safety telecommunicators, and the upgrade of technical capability, including the acquisition of equipment, hardware, or software.

(3) During the period when the 911 Board is exercising direct operational oversight of a district, the 911 Board shall be the beneficial owner of monthly revenue to the district from the 911 Fund to pay the costs or expenses of remediation, and may obtain, upon invoice, reimbursement from the district board of commissioners or if applicable, the county commission or municipality that created the district, for any costs or expenses for remediation that the 911 Board incurred which were not paid from revenue or accounts owned by the district.

(e) Upon request by the Executive Director of the 911 Board, the Attorney General may apply to the Circuit Court of Montgomery County for injunctive relief to enforce this section as it applies to a district anywhere in the state, including, but not limited to: (i) issuing a subpoena or



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197 ordering cooperation in an investigation of a district or PSAP
198 pursuant to subsection (a); or (ii) compelling cooperation
199 with the remediation measures taken by the 911 Board pursuant
200 to direct operational oversight of a district, including
201 ordering access to district operating funds and revenues
202 pursuant to subdivision (c)(3).

203 Section 2. This act shall become effective on October
204 1, 2026.