



Sunset Report  
**Alabama**  
**Statewide 911 Board**  
Montgomery, Alabama

October 1, 2022 through September 30, 2024

ALABAMA DEPARTMENT OF  
**EXAMINERS** of Public Accounts

Rachel Laurie Riddle, *Chief Examiner* | 334-777-0500 | [www.alexaminers.gov](http://www.alexaminers.gov)





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August 20, 2025

Sunset Committee  
Alabama State House  
Montgomery, Alabama 36130

Dear Members:

This report was prepared to provide information for use by the Sunset Committee in conducting its review and evaluation of the operations of the Alabama Statewide 911 Board in accordance with the *Code of Alabama 1975*, Section 41-20-9.

The report contains unaudited information obtained from the management, staff, and records of the Alabama Statewide 911 Board in addition to information obtained from other sources.

Please contact me if you have any questions concerning this report.

Sincerely,

Rachel Laurie Riddle  
Chief Examiner

**Examiners**  
Charnelle Martin  
Braeden Mitchell



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# **PROFILE**

## **Purpose/Authority**

The Alabama Statewide 911 Board (the “Board”), formerly the Commercial Mobile Radio Services Board, was created by Act Number 2012-293, Acts of Alabama codified as the ***Code of Alabama 1975***, Sections 11-98-1 through 11-98-16. The Board is responsible for establishing a statewide 911 charge, to administer the 911 Fund and monthly 911 charge, to distribute revenue in the 911 Fund, to develop and publish a 911 Annual Report, and to administer the deployment and operation of a statewide 911 voice and data system. The Board also works in partnership with Emergency Communication Districts of Alabama (ECDs) to facilitate and promote effective, efficient, and reliable 911 service statewide to the residents and visitors of Alabama.

Each telephone subscriber in Alabama currently pays \$2.23 per phone line on their phone bill and this revenue is forwarded to the State 911 Board by telephone service providers. Subscribers that use a pre-paid telephone service pay a percentage at the point of sale and these funds are also forwarded to the State Board. The State Board disburses funds to the ECDs that administer local 911 systems. Currently, there are 85 ECDs in the state.

ECDs are political and legal subdivisions of the state, with power to sue and be sued in their corporate names and to incur debt and issue bonds. As of December 10, 2024, there were 85 ECDs in Alabama, at least one per county; 59 wireless providers; 94 wireline providers; 221 Voice Over Internet Protocol Providers (VoIP); 2 Hosted Private Branch Exchanges (PBX); and 2 Session Internet Protocols (SIP).

The Federal Communications Commission’s (FCC) basic 911 rules require wireless service providers to transmit all 911 calls to a Public Safety Answer Point (PSAP), regardless of whether the caller subscribes to the provider’s service or not. The Alabama Next Generation Emergency Network (ANGEN) is Alabama’s response to private sector communications migration to Internet Protocol (IP)-based systems. All PSAPs in Alabama are now on ANGEN. This move marks the end of network deployment and primary PSAP on-boarding for the State of Alabama.

**The following Acts passed since the last sunset review and have not been codified in the current statutory authority. Copies of the Acts can be found in Appendix II of this report.**

Act Number 2025-373, Acts of Alabama, relating to emergency telephone services; to amend Section 11-98-4, ***Code of Alabama 1975***, to further provide for local 911 districts by permitting two or more districts to enter contracts to jointly provide services; and to delete duplicative language and make non-substantive, technical revisions to update the existing code language to current style. This Act shall become effective on October 1, 2025.

Act Number 2025-376, Acts of Alabama, relating to the 911 Fund; to amend Section 11-98-5.2, ***Code of Alabama 1975***, to further provide for the distribution of monies to local 911 districts; to allocate revenue to administer a state 911 voice and data system and designate uses for remaining funds; and to make non-substantive, technical revisions to update the existing code language to current style. This Act shall become effective on October 1, 2025.

<b><u>Characteristics</u></b>	
<b>Members and Selection</b>	<p>The Board is comprised of 13 members appointed by the Governor and confirmed by the Senate.</p> <p>Ten members are currently serving on the Board. A Commercial Mobile Radio Service (“CMRS”) Provider position, and two Cable Voice Over Internet Protocol Provider (VoIP) positions are vacant.</p> <ul style="list-style-type: none"> <li>• Seven members are recommended by the Alabama Association of 911 Districts, one from each of the seven congressional districts, as such districts exist on May 8, 2012.</li> <li>• Two members are recommended by CMRS providers licensed to do business in Alabama.</li> <li>• Two members are recommended by incumbent local exchange carriers operating in Alabama.</li> <li>• Two members are recommended by cable companies that provide interconnected VoIP services in Alabama.</li> </ul> <p>Appointments made at times when the Senate is not in session shall be effective immediately ad interim and shall serve until the Senate acts on the appointment.</p> <p><i>Code of Alabama 1975</i>, Section 11-98-4.1</p>
<b>Term</b>	<p>Members serve four-year staggered terms.</p> <p><i>Code of Alabama 1975</i>, Section 11-98-4.1</p>
<b>Qualifications</b>	<ul style="list-style-type: none"> <li>• Members that are recommended by the Alabama Association of 911 Districts, one from each of the seven congressional districts, are selected by vote of the members of the association from that congressional district.</li> <li>• CMRS provider members must be licensed to do business in Alabama.</li> <li>• Incumbent local exchange carrier members recommended by incumbent local exchange carriers operating in Alabama, who shall not be from the same local exchange carrier.</li> <li>• Members recommended by cable companies shall provide interconnected VoIP services in Alabama, who shall not be from the same cable company.</li> </ul> <p><i>Code of Alabama 1975</i>, Section 11-98-4.1</p>
<b>Consumer Representation</b>	<p>No specific statutory requirement.</p>



<b>Racial Representation</b>	No specific statutory requirement.  No minority members currently serving.
<b>Geographical Representation</b>	Seven members, recommended by the Alabama Association of 911 Districts, should be from each of the seven congressional districts as such districts existed on May 8, 2012.  <i>Code of Alabama 1975</i> , Section 11-98-4.1
<b>Other Representation</b>	All appointing authorities shall coordinate their appointments so that the diversity of gender, race, and geographical areas is reflective of the makeup of this state.  <i>Code of Alabama 1975</i> , Section 11-98-4.1
<b>Compensation</b>	No specific statutory requirement. Members are reimbursed for necessary travel expenses at the same rates as provided for state employees.  <i>Code of Alabama 1975</i> , Section 36-7-20
<b>Attended Board Member Training</b>	Two current Board members Two Staff members Executive Director
<b><u>Operations</u></b>	
<b>Administrator</b>	Leah Missildine, Executive Director. Appointed by the Board. Annual salary of \$ 168,049.03 set by the Board
<b>Location</b>	1 Commerce Street, Suite 620 Montgomery, AL 36104  Office Hours: Monday through Friday 8:00 - 4:30
<b>Real Property Ownership</b>	The Board does not own any real property.
<b>Employees</b>	Eight employees

<b>Legal Counsel</b>	The Board has a professional services contract with a private law firm, Brunson, Barnett, Sherrer, P.C., for legal counsel. The Board pays the firm \$195.00 per hour for any of the three attorneys who provide services to the Board. Services provided by other staff are billed at \$60.00 per hour. Expenditures for all services shall not exceed \$180,000.00 per year. The current contract terminates September 30, 2025.
<b>Subpoena Power</b>	The Board does not have subpoena power except as provided by the Administrative Procedures Act, <i>Code of Alabama 1975</i> , Section 41-22-12 for hearings and contested cases.
<b>Internet Presence</b>	<a href="https://www.al911board.com/">https://www.al911board.com/</a>  The website contains the Board's current statutes, rules, Board members, Board meeting minutes, updated announcements, and information related to public records requests.
<b><u>Financial</u></b>	
<b>Source of Funds</b>	All revenues are derived from the service charge levied on voice communications service providers and all prepaid wireless 911 revenues received from the Department of Revenue.  <i>Code of Alabama 1975</i> , Section 11-98-5.2
<b>State Treasury</b>	No, the Board has 7 checking accounts held outside the State's Treasury.  The 911 Fund shall be created as an insured interest-bearing account into which the 911 Board shall deposit all revenues.  The revenues deposited into the 911 Fund shall not be monies or property of the state and shall not be subject to appropriation by the Legislature.  <i>Code of Alabama 1975</i> , Section 11-98-5.2(a)

<p><b>Required Distributions*</b></p>	<p>From the statewide 911 charges paid to the 911 Board during each month, a sum not to exceed 1% of the total amount, shall be retained to be applied by the 911 Board exclusively for payment of administrative expenses theretofore incurred by the Board, and at the Board's discretion, the awarding of additional operational grants to districts outside of the other distribution criteria upon a showing of hardship.</p> <p>Additionally, the balance of the total 911 charges paid over to the 911 Board during each calendar month (the remaining 99%) shall be apportioned and disbursed as follows:</p> <ul style="list-style-type: none"> <li>• 80% of the portion of the statewide 911 charges remitted each month by CMRS providers and for prepaid wireless 911 charges shall be distributed to the ECDs.</li> <li>• The remaining 20% of charges remitted by CMRS providers and for prepaid wireless shall be set aside and deposited each month, in a separate account, the Board's Reserve Account, to be used exclusively for the payment of actual and direct costs incurred by CMRS providers in complying with wireless E-911 service requirements established by the Federal Communications Commission (FCC).</li> <li>• Additionally, 100% of all other statewide 911 charges remitted each month shall be distributed among the ECDs.</li> </ul> <p><i>Code of Alabama 1975, Section 11-98-5.2(b)</i>  <i>Code of Alabama 1975, Section 11-98-5.2(b)(1)</i>  <i>Code of Alabama 1975, Section 11-98-5.2(b)(7)</i></p> <p>*Note: The information included above does not reflect changes made by Act Number 2025-376, effective October 1, 2025.</p>
<p><b>Unused Funds</b></p>	<p>The 911 Board shall reimburse the Department of Examiners of Public Accounts for the actual costs of the Board's audits (the examinations of the local ECDs) from any unused funds that are retained in its Operating bank account for administrative expenses. To the extent that the Board's 1% retained for administrative expenses is not sufficient to pay for the audit, Section 11-98-15 also allows the Board to set aside additional funds as an administrative fee to cover those costs.</p> <p><i>Code of Alabama 1975, Section 11-98-15</i></p>

## **SIGNIFICANT ISSUES**

**Significant Issue 2025-001:** The Board has adopted a rule to withhold the monthly distributions which is not authorized by the Board's statutes. *Administrative Rule* 585-X-5-.02(8) provides in part that when a district is noncompliant with continuing education requirements of the public service communicator certification program, the Board shall impose penalties on the districts by withholding monthly distributions and keeping it in escrow until the district becomes compliant which is in conflict with the Board statutes.

The *Code of Alabama 1975*, Section 11-98-5.2(b)(1) states "There *shall be distributed* each month among all then existing districts, from the moneys then on deposit in the 911 Fund, an aggregate amount equal to the sum of a. 80 percent of the portion of the statewide 911 charges remitted to the 911 Board with respect to the month by CMRS providers and for prepaid wireless 911 charges, plus b. 100 percent of all other statewide 911 charges remitted to the 911 Board with respect to the month. (2) There *shall be paid each month* to each then existing district, out of the amount described in subdivision (1), one-twelfth of the sum of the base distribution amount defined, as applicable, in subdivisions (3) and (4), plus the per capita distribution amount defined in subdivision (5)."

**Significant Issue 2025-002:** Two Board members continue to serve under terms that expired on July 8, 2019.

The *Code of Alabama 1975*, Section 11-98-4.1(c) states "For purposes of the initial board appointments, (1) five members of the board shall be appointed for a four-year term; (2) four members for a three-year term; (3) the three members of the CMRS Board who are appointed pursuant to subdivision (1) of subsection (b) to terms ending on March 31, 2014; and (4) the remaining member for a two-year term. Thereafter, board members shall serve staggered terms of four years. In the event of a vacancy, the vacancy shall be filled for the balance of the unexpired term in the same manner as the original appointment. *Any vacancy occurring on the 911 Board, whether for an expired or unexpired term, shall be filled by appointment as soon as practicable after the vacancy occurs, whether for an expired or unexpired term.*"

## **SIGNIFICANT ISSUES FROM QUESTIONNAIRES**

**Significant Issue 2025-003:** Six Board members participated in our survey. Five of the six (83%) Board members think the Board's law needs updating pertaining to how the Board's funds are being distributed and how the Board can utilize funding to keep offering services to the districts. Act 2025-376, passed during the 2025 Legislative Session, updated the Board's statutes regarding how funds are disbursed to the local 911 districts.

**Significant Issue 2025-004:** Thirty-five Emergency Communication Districts ("ECDs") participated in our survey and the following items were noted:

- Sixteen of the thirty-five (46%) ECDs indicated insufficient personnel and staffing as the most significant issue they were facing.
- Nine of the thirty-five (26%) indicated technological changes and/or advances as the most significant issue facing the ECDs.

## **STATUS OF PRIOR FINDINGS/SIGNIFICANT ISSUES**

All prior findings/significant issues have been resolved, except for the following:

**Prior Significant Issue 2023-004:** The Board amended its *Administrative Rules* in March 2020, specifically **Rule 585-X-4-.09**, to stipulate that the Board's Cost Recovery Fund shall at all times maintain a minimum balance equal to 180 days operational and administrative costs of the Board. This practice has shorted the other local entities of additional distributions. The Board lacks the statutory authority to promulgate administrative rules that allow the Board to amass reserves or that would override statutorily required Board distributions. While the Board did make additional distributions of Cost Recovery funds, in accordance with the *Code of Alabama 1975*, Section 11-98-5(f), of \$2,000,000 in FY2019, \$5,000,000.00 in FY2020, \$2,289,706.31 in FY2021, and \$5,164,908.63 in FY2022, the reconciled cash balance in the Board's Cost Recovery Fund bank account as of September 30, 2022, was still \$24,461,183.14.

**Current Status:** Partially Resolved. The Board amended *Administrative Rule* 585-X-4-.09, effective January 11, 2025, to strike the language allowing the Board to hold a balance equal to 180 days operational and administrative costs of the Board. While the Board made this change and does make additional distributions of Cost Recovery (Reserves) funds, in accordance with the *Code of Alabama 1975*, Section 11-98-5(f), the Board still has a considerable amount of funds available to distribute to the Emergency Communication Districts. As of May 2025, the reconciled cash balance in the Board's Cost Recovery Fund bank account was \$15,545,863.26.

**Prior Significant Issue 2023-005:** The Board has accrued and continues to amass large balances in their bank accounts instead of making requisite distributions or reevaluating the fees being charged to consumers. On September 30, 2022, the Board had combined total cash balances of **\$41,561,755.87 in its various bank accounts**. The *Code of Alabama 1975*, Section 11-98-5(c)(1) requires the Board to increase or decrease the rate of the statewide 911 charge by an amount reasonably calculated to produce the baseline 911 revenues. Reconciled cash balances for the Sunset Review period are shown below:

<b>Reconciled Cash Balances as of September 30th</b>				
Bank Account	2022	2021	2020	2019
Revenue	\$14,228,016.14	\$11,832,669.75	\$10,671,973.73	\$10,084,899.50
Operating	1,373,762.38	1,613,127.02	1,382,424.14	1,173,148.28
DEPA	1,184,662.75	683,678.49	120,800.37	10,741.87
Reserves	24,461,183.14	24,790,436.56	21,926,747.36	19,820,157.26
Grant	307,170.48	326,688.36	453,131.85	493,586.69
Federal Grant	239.39	0.93	1,698,694.69	1,699,007.29
Employee Flex	6,721.59	3,735.90	2,773.76	3,241.65
	<b>\$41,561,755.87</b>	<b>\$39,250,337.01</b>	<b>\$36,256,545.90</b>	<b>\$33,284,782.54</b>

\*\*For historical purposes, the combined cash balances for the Board's funds were \$15,052,444.00 in FY2014, \$18,960,881.00 in FY2015, \$23,881,331.00 in FY2016, \$23,553,376.00 in FY2017, and \$33,844,498 in FY2018.

**Current Status:** Partially Resolved. As of September 2024, the reconciled cash balances of all the Board’s bank accounts was \$32,643,854.03.

<b>Reconciled Cash Balances as of September 30<sup>th</sup></b>		
Bank Account	2023	2024
Revenue	\$14,116,881.67	\$13,422,681.53
Operating	1,399,239.80	1,333,550.61
DEPA	1,653,812.54	212,420.85
Reserves	28,576,182.03	17,494,621.91
ECD Grants	313,375.56	172,389.38
Federal Grant	243.81	248.71
Employee Flex	5,814.86	7,941.04
	<u>\$46,065,550.27</u>	<u>\$32,643,854.03</u>

## **STATUS OF PRIOR SIGNIFICANT ISSUES FROM QUESTIONNAIRES**

**Prior Significant Issue 2015-001:** In response to survey questions, several respondents indicated funding was a significant concern. In response to the question, “What is the most significant issue facing 911 communications in Alabama?” Of the Emergency Communication Districts (ECDs) responding, 19 (53%) responded funding either of their districts or the ANGEN project.

In response to the question, “What is the most significant issue facing your ECD in Alabama?” Twelve of the 36 (33%) responding ECDs stated funding.

In response to the question, “Is your ECD adequately funded?” 13 of the 36 (36.11%) responding ECDs answered yes, 8 (22.22%) answered no, and 15 (41.67%) answered with comments. Eight of those comments stated they were currently funded but not necessarily when equipment and technology upgrades are required.

**Current Status:** Unresolved. Eighteen of the thirty-five (51%) ECDs responding to our survey indicated the lack of funding as the most significant issue.

## **FINANCIAL INFORMATION**

### **Source of Funds\***

The \$2.23 monthly 911 surcharge fee from wireline and wireless telephone carriers and Voice over Internet Protocol (VoIP) service providers and funds received from the Department of Revenue for prepaid wireless amounts are deposited into the Board's Revenue bank account.

The Board utilizes the following bank accounts:

**Revenue Account:** Receives all 911 service charges collected and remitted by service providers, as well as the amounts remitted by the Department of Revenue for prepaid wireless amounts. The funds received into this bank account are to be disbursed either by transfer to another of the Board's bank accounts or to the ECDs. This bank account should operate as a pass-through bank account and should not carry a balance.

**Operating Account:** Receives a monthly transfer from the Board's Revenue Account for the 1% of the total revenues received per the *Code of Alabama 1975*, Section 11-98-5.2(b). The funds in this bank account should be used to fund the Board's operations including, to the extent available, the reimbursement of the Alabama Department of Examiners of Public Accounts for the costs to conduct examination of the 85 local ECDs.

**ECD Grants and Training Account:** Receives remaining funds from the Board's Operating Account to fund the awarding of additional operational grants to districts outside of the other distribution criteria, per the *Code of Alabama 1975*, Section 11-98-5.2 (b) and to fund advisory services and training for districts per the *Code of Alabama 1975*, Section 11-98-4.1(e)(4).

**Alabama Department of Public Examiners Account:** Used to pay for the biennial audits of the local ECDs as per the *Code of Alabama 1975*, Section 11-98-6(e).

**Reserves Account:** Receives a monthly transfer equal to 20% of the 911 service charges remitted to the Board by wireless providers to pay for actual and direct costs incurred by commercial radio service providers in complying with wireless E-911 service requirements established by the FCC Order as per the *Code of Alabama 1975*, Section 11-98-5.2 (b)(7).

**Employee Flex Account:** Receives an amount from the Operating Account to cover the employee flexible spending program.

**Federal Grants & Awards Account:** Receives the federal grant funds and Board matching funds. There are no current federal grant cycles open.

\*Note: The information included above does not reflect changes made by Act Number 2025-376, effective October 1, 2025.



## **Schedule of Receipts, Disbursements and Balances**

October 1, 2022 through September 30, 2024

	<b>2022-2023</b>	<b>2023-2024</b>
<b><u>Receipts</u></b>		
Service Charges Collected	\$130,448,509.41	\$148,306,517.11
Interest	834,399.66	685,688.99
Other Income	1,549.24	735.45
2024 Alabama 911 Board User Conference		80,770.63
Total	131,284,458.31	149,073,712.18
<b><u>Disbursements</u></b>		
Personnel Costs	617,514.75	720,724.83
Employee Benefits	146,341.30	177,666.36
Travel, In-State	48,012.93	80,408.52
Rentals and Leases	216,384.51	184,535.15
Utilities and Communications	12,369.82	11,754.10
Professional Services	317,242.27	535,842.82
Professional Services (ANGEN Project)	12,245,588.92	17,370,043.06
Supplies, Materials, and Operating Expenses	37,036.82	49,086.29
Transportation Equipment Operations	10,903.56	15,788.47
Grants & Benefits	388,060.25	7,153,632.88
Miscellaneous	559.13	1,326.70
Depreciation	66,423.82	53,212.49
Payments to ECDs	111,725,023.53	134,629,689.93
Payments to Providers	525,530.95	973,686.12
Payments to Examiners of Public Accounts	476,418.00	510,719.00
Total	126,833,410.56	162,468,116.72
Excess (Deficiency) of Receipts over Disbursements	4,451,047.75	(13,394,404.54)
Balances at Beginning of Year	41,821,110.95	46,272,158.70
Balances at End of Year	46,272,158.70	32,877,754.16
Reserve for Unpaid Obligations	(64,685.94)	(64,685.94)
Unreserved Balances at End of Year	\$46,207,472.76	\$32,813,068.22

# **QUESTIONNAIRES**

## **Board Member Questionnaire**

A letter was sent to all current members of the Alabama Statewide 911 Board requesting participation in our survey. Six participated in our survey. The percentages are based on the number who responded to the question.

### **1. What do you consider the most significant issue(s) currently facing the Alabama Statewide 911 Board and how is the Board addressing these issues?**

**Board Member #1** – “I think that one of the issues facing the 911 Board is the lack of resources in small rural districts. Technology is driving efficiencies and improvements, and many districts lack local funding to remain effective.”

**Board Member #2** – “We were recently notified that we can't spend certain portions of Board funds the way that we have been spending them for years. We have been taking care of our issues and districts adequately for many years now, but this poses new problems that will hinder our ability to help districts and provide the needed services that we have to them for years now.

The other issue we face is getting Board Members confirmed. We/AAND hold elections for 911's portion of the Board seats and the names get sent to the Governors office by ACCA, but it takes several months for the confirmations to happen. We are often left with open seats or seats filled by retired or expired term members because the confirmations don't happen in a timely matter.”

**Board Member #3** – “inequitable funding, This would have to be addressed by legislation.”

**Board Member #4** – “Ongoing administration and keeping up with technological advancements. So far, so good.”

**Board Member #5** – “Staffing, Training, and Consolidation of 911 Centers: Laws were passed requiring state-wide training. To ensure 100% compliance with training standards, funding State academies similar to Fire and Law Enforcement is necessary. Working with understaffed, underfunded ECDs to combine resources is much needed, and would benefit Citizens needing 911 assistance.”

**Board Member #6** – “The long-term reality that the continued operation of ECDs as stand-alone entities is not economically justified under the current funding scheme for some of these districts. Consolidation is likely to be in the public interest in some discrete cases.”

### **2. What, if any, changes to the Board's laws are needed?**

**Board Member #1** – “N.A.”

**Board Member #2** – “See the answer to question #1, we will need to change some things about how the Board can use its funding in order to keep offering services to the districts as we have in years past.”

**Board Member #3** – “The funding formula needs to be updated to account for population and call volume.”

**Board Member #4** – “Weighted distribution formula to allow for more funds to go, per capita, to the more rural counties.”

**Board Member #5** – “A change in the law that sets aside 20% for wireless carriers to be reimbursed is antiquated as the conversion has been completed. This 20% should be used to fund training academies and to assist with the Consolidation of 911 Centers. The Board needs to be in a position to assist movement to make 911 more efficient, meaning Consolidation.”

**Board Member #6** – “Statutory clarification that the Board is authorized to maintain a level of reserves necessary to assure the base distribution is always fully funded in the event anomalies occur in the actual receipts of surcharges between months. Further the statute needs to remove any ambiguity that the Board's provision of education and certification services to the 9-1-1 community is within its mandate.”

**3. Do you think the Board is adequately funded?**

<b>Yes</b>	<b>5</b>	<b>83%</b>
No	1	17%

**4. Do you think the Board is adequately staffed?**

<b>Yes</b>	<b>5</b>	<b>83%</b>
No	1	17%

**5. Does the Board receive regular reports on its operations from the Executive Director?**

<b>Yes</b>	<b>5</b>	<b>83%</b>
No	1	17%

**6. Has the Board experienced any significant change to its operations?**

<b>Yes</b>	<b>3</b>	<b>50%</b>
No	2	33 %
Unknown	1	17%

**7. Does the Board plan to make any significant changes to its operations?**

<b>Yes</b>	<b>2</b>	<b>33%</b>
No	1	17%
<b>Unknown</b>	<b>2</b>	<b>33%</b>
No Opinion	1	17%

**8. Do you have any additional comments you would like to make?**

**Board Member #1** – “na”

**Board Member #2** – “Referring to the yes on #7, the significant changes to our operations are do to the answers provided in #1 and #2. I think we are funded well, I just think we need to be able to make sure we can continue to assist the districts in the many ways that we have in the past.”

**Board Member #3** – “no”

**Board Member #4** – “None”

**Board Member #5** – “The 911 Board needs its powers to oversee 911 clearly defined by law.”

**Board Member #6** – “The changes referred to above were brought about by the legislature's imposition of certification requirements.”

## **Emergency Communication Directors Questionnaire**

A letter was sent to eighty-five Emergency Communication Districts requesting participation in our survey. Thirty-five participated in the survey. The percentages are based on the number who responded to the question.

### **1. What do you consider the most significant issue(s) facing your profession in Alabama?**

**Respondent #1** – “Lack of retaining quality personnel”

**Respondent #2** – “increased funding going to the state 911 board, while revenues decrease for local PSAPS”

**Respondent #3** – “Professional Standards are not across the board.”

**Respondent #4** – “With the rising costs of 911 software, equipment, and maintenance fees, we would not be able to afford these things if it weren't for the grant program offered by the board. We are a small ECD and the board is our main source of revenue for operations, salaries, etc.”

**Respondent #5** – “Hiring dispatchers and Call Volume”

**Respondent #6** – “Currently funding, staffing and being recognized as First Responders for eligibility in more aggressive RSA retirement accounts are the most pressing issues we have. We struggle financially with funding, leaving us to struggle to pay the Public Safety Telecommunicators and support staff what they deserve for the stressful work they do. The lack of pay creates a recruitment challenge and then leaving them to know they must work a minimum of 30 years in this stressful environment is discouraging to career telecommunicators, leaving some of the best to make a career change for health and quality of life continuing the staffing crisis.”

**Respondent #7** – “Funding is always an issue. Keeping up with continuously evolving technology is becoming increasingly more expensive. Our explosive population growth is requiring us to constantly hire and retain additional employees. Costs will continue to increase. Additionally, we are providing 9-1-1 services in two adjoining counties due to city limits crossing county lines. Because of the current distribution model, our 9-1-1 District does not receive any funding for the calltaking/dispatching activities we provide outside of our county.”

**Respondent #8** – “The high cost of delivering a quality E-911 service is my most significant issue. An example is technology, I work in a super rural area and as part of my bylaws I am to provide a radio system. I cannot field a resilient radio system. A neighboring county has a top shelf P-25 radio system that I cannot afford to extend to my responders. The political answer is that a cell phone-based LTE platform is a stable communication system, but we do not have cellular coverage on a clear weather day throughout the County for 911 callers to report wrecks. The towers are not strengthened for storm events, the backhaul is weak and we all know that a call can unexpectedly drop for no definable reason. That is not acceptable for Public Safety and our First Responders. What happened to the Alabama First Responder Wireless Commission and the expansion of P-25? It's what we need but not affordable. We have ended up with a Franken-system (ala Frankenstein) of weak UHF, VHF, LTE, with a sliver of unused P25 coverage from a neighboring County. This is not an Alabama 911 issue, but it is one of mine.

State Homeland security grants will pay for radios even when they have no communication infrastructure to make them work. Grants need to cover a rollout of tower and system building for the State instead of radios. I am short staffed with good equipment to receive calls, but I am hard pressed to do something with the information for responders. It is a shame that Mississippi has MSWIN and we have cobbled together networks throughout our State that mutual aid cannot work with. The State 911 has been a significant resource for support in our extremely Rural area. I value their support tremendously. We could not exist without them.”

**Respondent #9** – “1. Funding and Sustainability: Ensuring consistent and adequate funding for state 9-1-1 officials all the way down to our local 9-1-1 centers is a persistent challenge, particularly with changing telecommunications technologies and revenue streams from fees. 2. Technological Advancements: Keeping up with rapidly advancing technology, such as Next Generation 9-1-1 (NG9-1-1), requires ongoing investment and training to integrate new capabilities like text-to-911, video, and geolocation services. 3. Staffing and Retention: Recruiting, training, and retaining skilled telecommunicators is an ongoing struggle due to high-stress environments, long hours, and limited recognition compared to other public safety roles. 4. Interoperability and Coordination: Ensuring seamless communication across jurisdictions, agencies, and systems is vital during emergencies but often requires significant planning and resources. 5. Mental Health and Wellness: Addressing the mental health needs of telecommunicators and directors is crucial, as these roles involve significant emotional strain and exposure to traumatic events. 6. Public Awareness and Advocacy: Increasing public understanding of how 9-1-1 operates and advocating for its needs at the local, state, and federal levels are critical for support and funding.”

**Respondent #10** – “Funding”

**Respondent #11** – “In a small county, we do not always have enough funding to complete projects that need to be completed. Some grants should be easier to apply for and should be available to all public entities.”

**Respondent #12** – “Lack of interested candidates for employment”

**Respondent #13** – “Keeping up with the advancement of technology with the same level of funding. We need to make sure the State 911 Board has adequate funding to help all districts keep up with acquiring any new technology needed to provide 911 service. With the state board providing grants to districts it allows us the opportunity to make those advancements with purchases that we normally wouldn't be able to with our normal funding.”

**Respondent #14** – “Staffing”

**Respondent #15** – “Lack of funding for needed system upgrades. Recruitment and retention qualified of personnel.”

**Respondent #16** – “training requirements. small departments vs large departments. we don't have the staff to send employees to training”

**Respondent #17** – “Staffing.”

**Respondent #18** – “The constant evolution of technology and the ability to maintain an up to date center. Employees need constant training to best utilize the available tools.”

**Respondent #19** – “Funding for smaller agencies--Smaller organizations face challenges in funding that hinder them to be able to update and maintain up to date equipment. With the suspension of the grant program, smaller agencies will suffer ever more. The grant program allowed smaller, rural ECD to be able to make large purchases and to keep their equipment up to date. There should never be a lack of funding for equipment used in a ECD. Equipment should be up to date and outdated equipment should be replaced.”

**Respondent #20** – “I would say the biggest issue would be the rising cost of equipment and maintenance on all of our equipment. We just spent over 130K on new equipment that is only going to last 5 years--maybe 7 max. Normally, we would be applying for grants to assist with such equipment, however the suspension on grants has hindered us greatly.”

**Respondent #21** – “Staffing- attempt to find the right individuals that have a passion to succeed in this profession as a career until retirement”

**Respondent #22** – “The cost of doing business in any line of work these days is an issue and 911 is not immune to it either. Recently the Board was told that the grant program that they have ran for many years was to be suspended and that leaves the Board and many 911 Districts in a predicament. They have been able to help those districts in the past that were struggling with funding, hardware, software, training, and other things needed to deliver 911 calls in many ways and this has tied their hands per se. Without a grant program and with no way to help someone who is struggling it could mean that doors close and services to communities are stopped. The Board does a great job listening to our needs and making sure we have what we need when we need it to help our communities.”

**Respondent #23** – “There are multiple challenges that the ECD’s are facing in the near future: staffing, funding, rising cost in equipment and the overreach of local county and municipal government. Staffing: In the current workforce ECD’s have a major challenge with a mindset of work from anywhere, the expectations of hourly rates that exceed the funding of the ECD, and the lack of work ethic and the constant job hopping by the current generation. Funding: The current funding rate has been able to relieve some of the financial stress the ECD’s are under but there are some that are still in financial trouble. It seems a little unfair for some of the counties to have a larger piece of the pie while some are receiving leftover crumbs, is there a way to fund the ECD fairly. To say that a new funding model is a must is a large task with some very unclear and impossible decisions that will have far reaching consequences for the ECD’s in the state as a whole with the current funding. Equipment: The rise in the cost of equipment has doubled and, in some cases, tripled in the last five years. The mind set of the old thinkers was all you do is just answer the phone is far removed from the modern ECD. With the constant growth and evolution of Next Generation 911 (the ANGEN network in Alabama) new equipment that was purchased this year will be obsolete in five years. This is a positive and not a negative for the public in an emergency. Now we can locate a person with pen point accuracy of 10’x10’ area rather than a several-mile radius. The ability to text pictures and videos directly from the scene by the caller, so telecommunicators can see firsthand what’s going on, so they can send the appropriate personnel. With all the advances in technology come at a cost and that cost continues to rise. Now for the elephant in the room, local county and city government agencies have the mindset that the ECD is a cash cow. In my opinion, as a hold the ECD’s in the state are run and managed financially better than some county and city governments. Over the years some ECD’s have managed to build a small emergency reserve that will give them least a month of operational revenue. Counties and City’s see these funds as money that be better served in the general fund of their agency. Yes, in the past when the ECD could raise the rate at will and generate a wind fall and inflate their general funds they were seen as cash cows, but now you cannot do this. Counties and City’s also have the idea that they can force unfunded mandates by forcing the currently understaffed ECD’s to do dispatching that is outside the scope of an ECD daily operation, just in order to save that county and city money.”

**Respondent #24** – “Staffing. The positions typically have rather low pay, a high level of stress, and they must be staffed 24/7, so most incumbents spend quite a few nights, weekends, holidays, and family events each year away from loved ones. It’s a tough position for which to recruit.”

**Respondent #25** – “As we analyze the current landscape of our 911 services, it is evident that we are confronted with several critical challenges that demand our immediate attention and thoughtful approach. Among these challenges, recruitment and retention of skilled personnel stand out as primary concerns. Attracting and retaining dedicated professionals in emergency services is not merely a staffing issue—it is essential for ensuring the safety and well-being of our communities. Furthermore, our ability to sustain a well-trained workforce is closely tied to our funding mechanisms. It is imperative that we secure adequate financial resources to support ongoing training and education initiatives, enabling our staff to remain proficient in the face of evolving technological advancements. The integration of new communication systems, such as advanced telephony, radio towers, and state-of-the-art Computer-Aided Dispatch (CAD) systems, requires us to invest in both equipment and the continuous skill development of our personnel. In addition to technology upgrades, we must also prioritize the implementation of robust recording and data management systems. These tools are vital for the effective documentation and analysis of our operations, and they play a key role in enhancing accountability and transparency within our services. Moreover, fostering systems that ensure redundancy and resilience, such as bug-out capabilities and mobile command communication strategies, is crucial for maintaining operational continuity during emergencies. We recognize that these issues are interconnected and that addressing them will require a multifaceted strategy involving collaboration across various sectors. We must empathize with our dedicated staff, acknowledging the challenges they face and actively supporting their growth and well-being. By reinforcing our commitment to recruitment, comprehensive training, and the integration of advanced technologies, we can strengthen our 911 services and better serve our communities in times of need. Together, we can build a resilient, capable, and compassionate emergency response system that reflects our values and priorities.”

**Respondent #26** – “The lack of interest in the new generation to become and continue the work of Emergency Services either in 9-1-1, EMS, Law, Fire, etc.”

**Respondent #27** – “After years of experience in this field, my opinion is we need the opportunity to manage all of our own funds-with appropriate oversight, of course. I have always supported the idea of a state board, but at this point it doesn't make my job any easier and I need the money that funds it back in my budget. My county government isn't able to help us with funding and have cut our share of the SSUT this year. Where is that money going to come from? I've tried to increase our revenue by implementing a new fee to charge when we assign an address. That was very lucrative for our agency due to the lake and influx of vacation homes being built. We had to discontinue that policy due to advise from the state auditor. How will that be replaced? The state 911 board could be an invaluable resource for us in situations like this. I need help navigating legislation to pursue this and I have no time or expertise in this type of undertaking. Every 911 agency is so different that we need the ability to use our funds in the way they are needed in our particular circumstances. For instance, responders fight me when we ask for dispatch fees because they can cite how another county does not charge responders. In addition, it is beyond frustrating that I have to spend hours filling out grant applications and proving that I need the funds that my citizens have already provided us. Not to mention the tedious task of copying phone bills and searching bank statements to prove I paid my phone bills, just to get refunds from the legacy program. These are just two examples of the constraints on my time. While I love working with the wonderful people on the state board, their hands are tied in many circumstances. For example, I may have a straight-forward legal question that may not require the expense of any attorney, but the state can't help me. Or when I need to navigate local government for my funding needs, they can't help with that. I need all the funds that belong to this county.”



**Respondent #28** – “Personnel, funding and everchanging technology. Recruiting and retaining personnel due to lack of ability to provide adequate pay. This job is stressful and requires very good computer skill and excellent communications skills. Retaining personnel with these skills, in this setting is difficult without adequate pay. Employees frequently leave for better paying and less stressful environment. The rural counties are expected to provide the same 911 services with much less funding.”

**Respondent #29** – “Currently utilizing a company for the digital 9-1-1 network that does NOT have the experience, knowledge, presence in every part of the state. (Waiting time for INdigital has been sometimes 12-16 hours, and then another 8-10 hours for them to obtain a part they may need to repair any portion of the INdigital digital 9-1-1 network in any PSAP located in your ECD.) In addition, from past experience with INdigital they have NO CONCEPT of how to do a telephone network utilizing DIVERSITY nor REDUNDANCY. In addition, INdigital is "apparently" (more than likely) utilizing subcontractors to do some of their repairs when they do not have either A, an INdigital repair technician that is nearby to the PSAP with the problem, or B. because they don't have ANYONE that is an INdigital employee available. and/or C. going to local stores in your ECD to buy parts to go on what should be a "state of the art" digital 911 network. (the largest telephone company in the country would have these parts or access to the parts in their own inventory and in addition, these spare parts would meet or exceed digital 9-1-1 requirements.)”

**Respondent #30** – “The rate of pay that we are limited to for the stress and intensity of the job. The cost of equipment without the ability to search grants or resource other monies.”

**Respondent #31** – “Staffing”

**Respondent #32** – “Funding is the most significant issue we are facing. The funding that we receive from the State is not enough to fully fund our operations. Our small county is reluctant to go to a centralized dispatch center or pay for any dispatching services that 911 does. I understand that this is not a State issue and that the monies we receive were never intended to fully fund districts. I fear that the rising cost of equipment and the maintenance of that equipment may be more than our small county can afford Staffing is another issue. Currently we need two dispatchers per shift. Our call volume may not always require two dispatchers per shift but there are times when two or more are needed. While I realize that this is not an issue for the State to resolve I feel that they should always mandate two dispatchers, to help push smaller counties, such as our own, to consider pooling resources and dispatching efforts. I make that statement hesitantly because I know that in our county the sheriff’s dispatcher and the municipalities dispatcher serve many different roles outside of dispatching. Maybe that should be taken into consideration as well.”

**Respondent #33** – “Funding for technology. Funding for proper employment. Funding for Admin staff needed to handle all aspects of the front office. Funding to provide a modern center. Funding to provide a standard that is equal across the state.”

**Respondent #34** – “Changing of technology and funding. The State board has worked with local stake holder groups and associations to come up with clarifying statutory language.”

**Respondent #35** – “Increased costs providing emergency call taking and dispatch services within the district I serve place undue burden on the ability to provide top level service to citizens.”

**2. Do you think regulation of your profession by the Alabama Statewide 911 Board is necessary to protect the public's welfare?**

Yes	32	91%
No	3	9%

**3. Do you think any of the Board’s laws, rules, or policies are an unnecessary restriction on the practice of your profession?**

Yes	6	17%
<b>No</b>	<b>26</b>	<b>74%</b>
Unknown	3	9%

**4. Are you adequately informed by the Board of changes to and interpretations of the Board’s positions, policies, rules, and laws?**

<b>Yes</b>	<b>32</b>	<b>91%</b>
No	2	6%
Unknown	1	3%

**5. Does the Board respond to your inquiries in a timely manner?**

<b>Yes</b>	<b>34</b>	<b>97%</b>
No	1	3%

**6. Do you have any additional comments you would like to make?**

**Respondent #1** – “Keeping qualified personnel”

**Respondent #2** – “Concerns are increasing related to the formula used to disperse funds to local PSAPS, this includes the boards unwillingness, or inability, to provide accurate accounts of how much money is derived from each county prior to dispersion. Additionally, the formula used to determine disbursement is vague and unclear. Increasing the percentage of funding going directly to overhead expenses at the state level have a negative impact on the local PSAPs and should not be increased. In a time of inflationary actions, the overhead expense by the board should be reduced and more funding should be provided locally. Moreover, the Contractors Reimbursement Fund should be eliminated, and those funds should be returned to the local PSAPs. PSAPs should not have to apply for 'grants' from the state board when those funds were collected from local citizens. Governance is better administered at the local level, and 911 should utilize the ACCA prospective of allowing tax dollars to be received locally and each PSAP make a determination if they want to participate in a state pseudo-government agency.”

**Respondent #3** – “I can't speak for everyone i don't have a problem with the decisions from the board.”

**Respondent #4** – “The staff at the AL 911 Board does an amazing job taking care of the state's ECDs no matter the need. If there is anything lacking, they work with you to find resources and the answers that you need. They help you make the necessary connections to meet the needs of your PSAP.”

**Respondent #5** – “It is a good thing to have polices and requirments in place to ensure training and professionalism is upheld across the State of Alabama 911 centers.”

**Respondent #6** – “No”

**Respondent #7** – “The biannual audits by the Department of Examiners are tedious and expensive for us. It is my understanding that in the many years of auditing of 9-1-1 Districts that no fraud has ever been detected. The examiners in our past few audits were not adequately trained. In answering their questions in the most recent audit, our independent auditor had to train them on basic accounting principals and spent much time teaching them things they should already know. Naturally, this translated into billable hours to us from our independent auditor. Regarding Question no. 2: The Alabama 9-1-1 Board does not regulate our profession. They are authorized by the legislature to provide certain services to the 9-1-1 Districts and to handle collection and distribution of funds. The Alabama legislature and the local District Boards of Commissioners regulate 9-1-1.”

**Respondent #8** – “Please solve the issue with the Grant Cycles quickly. We need the technological upgrades to survive. The halt placed on Grant Cycle 10 created an immediate unbudgeted expense of approximately \$20,000/year. I don't have that funding available. Maintenance cost of the CAD. Unbudgeted. We need the supplement. Thank you for asking for this feedback.”

**Respondent #9** – “I am proud to voice my strong support for [REDACTED], her dedicated staff, and the Alabama State 9-1-1 program. Under [REDACTED]'s exceptional leadership, the program has set a high standard for emergency response across the state, ensuring that Alabamians receive critical assistance when they need it most. [REDACTED] and her team have worked tirelessly to enhance the effectiveness and reliability of 9-1-1 services, driving improvements in training, technology, and interagency coordination. These efforts are vital not only to the safety of our communities but also to the well-being of emergency telecommunicators, who serve as the first, first responders in moments of crisis. However, to maintain and expand this success, it is crucial to increase funding for the Alabama State 9-1-1 program and emergency communication districts statewide. Reliable and sustainable funding is essential for upgrading outdated infrastructure, implementing advanced technology, and providing comprehensive training to 9-1-1 professionals. Without these investments, the ability to respond effectively to emergencies could be jeopardized, and lives could be at risk. By increasing funding, we can ensure that every emergency communication district in Alabama has the resources they need to meet the growing demands of our communities. [REDACTED] and her team have proven their ability to maximize the impact of these resources, and I am confident that additional investment will lead to even greater outcomes for public safety across our state. I urge decision-makers to prioritize the funding needs of Alabama's 9-1-1 system and support the incredible work being done by [REDACTED], her staff, and the emergency communication districts. Together, we can continue to build a stronger, safer future for all Alabamians.”

**Respondent #10** – “That staff at the Alabama 911 board has been very helpful. They're always there to assist with anything that our ECD needs.”

**Respondent #11** – “n/a”

**Respondent #12** – “I would like to take a moment to highlight the invaluable resource that the AL911 State Board represents for our 911 community. They are readily available and just a phone call away, offering assistance with training, funding opportunities, and addressing any questions you may encounter. Their expertise significantly enhances our operations and provides necessary support as we navigate our challenges.”

**Respondent #13** – “N/A”

**Respondent #14** – “No”

**Respondent #15** – “It is my personal belief that the Alabama 911 Board is a much needed entity for oversight of the various 911 systems in our state. They have been both forthcoming and helpful with our ECD.”

**Respondent #16** – “These answers are not the same for small areas vs large areas. We do not have enough employees to run operations and send to training like emd classes when they have to be gone a full week. We as 911 board can only afford to pay for equipment. We are not a normal 911 center. We are not over the Dispatchers so we will get punished if they don't properly train their people. We do not have any say so over their employees (dispatchers). They maintain the jail and dispatching at the same time. Their dispatchers have to answer calls, book inmates, manage jail, deal with the public etc. Not sure what will help them and what will make it easier.”

**Respondent #17** – “N/A”

**Respondent #18** – “The majority of our State Board is made up of 911 Directors that our 911 community recommended to be appointed. The Board and the administrative staff have been a constant source of information and guidance during my employment as a Director. They work very hard to make sure resources and information are available to all ECDs. In my opinion, every ECD that wants to be involved with the Board has ample opportunity. The Board has made great efforts to go to all ECDs around the state to educate them on the services and benefits that the Board provides. I also believe that our Board represents the 911 stakeholders well. We have board members that have backgrounds in Fire, Law, and EMA. Our board is made up of Directors from ECDs of all sizes and populations. They understand the hardships of small ECDs, the staffing shortages of large ECDs and the challenges of everyone in between. The current 911 Board has worked very hard to elevate all Alabama ECDs and it shows.”

**Respondent #19** – “No”

**Respondent #20** – “n/a”

**Respondent #21** – “No”

**Respondent #22** – “See #1”

**Respondent #23** – “The State 911 Board is leading the charge in the state and the nation on training, 911 infrastructure and GIS in the state of Alabama. The current staff and board have the best interest of the telecommunicator and the safety of the public. When the original board was mandated, and law was put into effect, there was language in the law that was unclear and that needed to be cleaned up to better serve the ECD and give the State 911 board tools to improve in areas where we are lacking. In my opinion the public is better served with the State 911 board having oversight of the ECD's and 911 network than local county and city government.”

**Respondent #24** – “I think the Board should be exceedingly careful when discussing new approaches to distribution of funds. The calculations for distribution were thoughtfully defined when the State began collecting and they included a very fair and reasonable approach to distribution. Recent discussions involving changes to the formula (by legislation) that has been working so well seems to respond to agencies that are not making the most of their funds by collaborating with neighbors, embracing economies-of-scale, etc. Unfortunately, there is a rather large number of districts that have not made best use of what has been remitted, and the Board hears from them. ACCA been accorded undue influence in these decisions since many of the small, struggling districts are functions of county commissions, and when they start talking about distribution it sounds like two foxes and a chicken voting on what to eat for dinner.”

**Respondent #25** – “I firmly believe that regulating our Alabama 911 State Board is vital for safeguarding the public welfare of our citizens. This regulation ensures that we have a structured framework for both representation and communication among our diverse districts and stakeholders throughout the state. The varied perspectives that emerge from this representation are not only valuable; they are essential to creating a comprehensive and responsive 911 system. By actively considering the viewpoints of all stakeholders, we can foster a more nuanced understanding of the needs and concerns that exist within each community. This multifaceted dialogue contributes significantly to an informed decision-making process and enhances our collective ability to advocate for the safety and well-being of all Alabamians. Implementing these regulations ensures that the voices of our constituents are not just heard but actively integrated into our public safety strategies. The collaboration this framework promotes has already shown to be beneficial, enriching the overall effectiveness of our 911 system. By focusing on representation, we create a more inclusive and effective response mechanism that addresses the varying needs of each district. In essence, our commitment to regulation is rooted in empathy for the individuals and communities we serve. It is our responsibility to ensure that every voice is valued and that is reflected in our commitment to a robust and responsive 911 system for all.”

**Respondent #26** – “Not at this time.”

**Respondent #27** – “If we can be trusted to provide lifesaving service to our citizens and responders, I believe we can be trusted to handle all of our funding and expenses. Thank you for the opportunity to express my opinion and I appreciate all that the state 911 board has tried to do.”

**Respondent #28** – “Alabama 911 Board has been very helpful and truly has the citizens of Alabama and every county in their best interest.”

**Respondent #29** – “The introduction of DIVERSITY and REDUNDANCY, along with utilizing a much larger telephone company that has much more presence throughout the state and country, and has been in the business for over 100 years, would significantly increase the chances for success of not only the state 911 board, but also every ECD, every 911 center, every PSAP, and even every telecommunicator, utilizing today's digital telephonic and location information as required by the FCC. Where the "rubber meets the road," is when that telecommuincator answers the phone, and says, "May I help you and what is your emergency?" We need the tools of a different digital provider in order to make that rubber meet the road. In addition, we need to be working with a provider that still understands Redundancy and diversity and is fully aware that 9-1-1 service is still a "People Business." 9-1-1 service in Alabama should not be self service for the state board where the ECD's spend way too much time worrying about compliance with the state boards 9-1-1 rules instead of providing the 9-1-1 service in Alabama, and serving each ECD with the best 9-1-1 service possible. Give us the funding and let us provide the best 9-1-1 service we can to our citizens on a digital 9-1-1 network that is designed to work in all 50 states. In addition, adopt a "changed attitude and program" much like occurred on Nov. 5 when the citizens of this country voted to make America great again. Alabama took the first 9-1-1 call in the nation in Haleyville, AL much like the incoming president elect of the United States is going to take some of the restrictions off of all kinds of businesses and industries throughout the country. Why don't we partner with the president elect and make 911 great again by utilizing a company whose founder invited the telephone. Thank you for your time and I hope you read our entire response.”

**Respondent #30** – “I feel as though the Alabama 911 Board as a whole are doing the best job they can with the resources they have at their disposal. Our office, for one, is very thankful for them.”

**Respondent #31** – “No”

**Respondent #32** – “Currently the State’s suspension of the grant programs is an issue for us. We rely heavily on those grants offered. In the past several years we have upgraded to the hosted call taking system, CAD, radios, dispatching console, grounding, wiring and purchased a new generator. We were in the process of purchasing a new recorder, which we desperately need. If we are not able to continue to apply for and receive grants from the state, I fear that we will not be able to continue to update our equipment or stay on the hosted call taking system that we are currently on. I personally appreciate all that the State has done for the districts, and I believe that they have the best interest for 911 in the State of Alabama.”

**Respondent #33** – “2-5 aren’t YES/NO questions.”

**Respondent #34** – “Alabama is so far ahead of other States and are staying informed of changes by our State 911 Board. The State Board is working on a State wide GIS Mapping system again that will be steps ahead of the surrounding States. They keep us informed of the changes going on in our 911 industry which helps us to better serve the Citizens in case of an emergency and pinpoint the area the call is coming from which helps in a quicker response.”

**Respondent #35** – “Without the Board’s support, our district would not exist as it does today. The board in its entirety has supported the function of the our dispatch center. Our district received two grants offered through the Alabama 911 Board throughout 2024. This grants allowed our district to replace an aged and troubled recorder, and the second grant gave us the opportunity to replace 30 year old furniture and equipment on the dispatch floor. Be the Board providing these grants, it allowed our agency to have the most up to date equipment that we otherwise would not have had the opportunity to purchase without placing our district in long-term debt. The monthly allocations provide significant contribution to our annual budget. Our district is funded through fees from our county, 1 growing municipality, and 3 smaller municipalities that are not seeing any increase in revenue. Our local board attempted to pass a 6% increase on those fees for 2023 and 2024 budget years. However, the increase created too much financial pressure on the each of the agencies paying the fees. While the district was not able to increase pay for dispatchers to a level at or closer to some of the neighboring districts, the funding provided by the Alabama 911 Board allows our district to funding a major portion of the costs that are eligible to be funded with these distributions. We are continually grateful for the work put in by the Alabama 911 Board and the ability they have had to assist our agency and countless others with grant funding outside the normal distributions that further the capabilities of our state 911 network.”

## **APPENDICES**



## **Appendix I: Applicable Statutes**

### **Section 11-98-1 Definitions.**

(a) As used in this chapter, the following words and terms have the following meanings, unless the context clearly indicates otherwise:

(1) AUTOMATIC NUMBER IDENTIFICATION. An enhanced 911 service capability that enables the automatic display of the 10-digit telephone number used to place a 911 call. The term includes pseudo-automatic number identification, which means an enhanced 911 service capability that enables identification of the subscriber.

(2) CALL or 911 CALL. Any request for public safety assistance that the PSAP is equipped to receive, without regard to the media used to make that request; provided, however, that the term may appear in conjunction with specific media, including voice call, video call, text call, or data-only call, when the specific media is of importance.

(3) CMRS. Commercial mobile radio service under Sections 3(27) and 332(d) of the Federal Telecommunications Act of 1996, 47 U.S.C. § 151 et seq., and Omnibus Budget Reconciliation Act of 1993, Pub. L. 103-66, Aug. 10, 1993, 107 Stat. 312. The term includes the term wireless and service provider by any wireless real time two-way voice communication device, including radio-telephone communications used in cellular telephone service, personal communication service, or the functional or competitive equivalent of a radio-telephone communications line used in cellular telephone service, a personal communication service, or a network radio access line. The term does not include service whose customers do not have access to 911 or to an enhanced 911-like service, to a communications channel suitable only for data transmission, to a wireless roaming service or other non-local radio access line service, or to a private telecommunications system.

(4) CMRS CONNECTION. Each mobile telephone number assigned to a CMRS subscriber with a place of primary use in Alabama.

(5) CMRS PROVIDER. An individual or entity that provides CMRS.

(6) CREATING AUTHORITY. The municipal governing body of any municipality or the governing body of any county which, by passage of a resolution or ordinance, creates a district within its respective jurisdiction in accordance with this chapter.

(7) DISTRIBUTION FORMULA. The percentage of the total state population residing in a district, compared to the total state population residing in all districts statewide, based upon the latest census data or estimates compiled by or for the Alabama Department of Economic and Community Affairs.

(8) DISTRICT. A communication district created pursuant to this chapter.

(9) EMERGENCY SERVICE PROVIDER. An agency of the State of Alabama, or a political subdivision thereof, that provides fire fighting, rescue, natural or man-caused disaster, or major emergency response, public safety telecommunication and dispatch, law enforcement, ambulance, or emergency medical services. The term also includes private ambulance services.

(10) ENHANCED 911, E-911, or E-911 SYSTEM. An emergency telephone system that directs 911 calls to appropriate public safety answering points by selective routing based on the geographical location from which the call originated, which provides the capability for automatic number identification, and the features that the Federal Communications Commission may require in the future. Such system may include lines, facilities, and equipment necessary for answering, transferring, and dispatching public emergency telephone calls originated by persons within the service area who dial 911, but does not include dial tone first which may be made available by the service provider based on the ability to recover the costs associated with its implementation and, to the extent required by law, consistent with tariffs with and approved by the Alabama Public Service Commission.

- (11) FCC ORDER. The order of the Federal Communications Commission, FCC Docket No. 94-102, adopted on June 12, 1996, and released on July 26, 1996.
- (12) FIRST RESPONDER. An individual who rapidly receives and responds to emergency situations to protect life and property. The term includes law enforcement officers, fire fighters, rescue squads, emergency medical service providers, public safety telecommunicators, and any other emergency management providers responding to an emergency situation.
- (13) OTHER ORIGINATING SERVICE PROVIDER. An entity other than a voice communication service provider that delivers real-time communication between a person needing assistance and an E-911 system.
- (14) PHASE II ENHANCED 911. An enhanced 911 system that identifies the location of all 911 calls by longitude and latitude in conformance with accuracy requirements established by the Federal Communications Commission.
- (15) PLACE OF PRIMARY USE. The street address representative of where the customer's use of the mobile telecommunications service primarily occurs, which must be:
- a. The residential street address or the primary business street address of the customer.
  - b. Within the licensed service areas of the CMRS provider.
- (16) PUBLIC SAFETY ANSWERING POINT or PSAP. An entity responsible for receiving 911 calls and processing those calls according to a specific operational policy.
- (17) PUBLIC SAFETY TELECOMMUNICATOR. An individual employed by a public safety answering point or emergency service provider as a public safety dispatcher or 911 operator whose duties and responsibilities include both of the following:
- a. Answering, receiving, transferring, and dispatching functions related to 911 calls and texts.
  - b. Dispatching first responders to the scene of an emergency.
- (18) STATEWIDE 911 BOARD or 911 BOARD. The statewide 911 Board established pursuant to Section 11-98-4.1.
- (19) STATEWIDE 911 CHARGE. The statewide 911 charge created pursuant to Section 11-98-5.
- (20) SUBSCRIBER. A person who purchases or subscribes to a voice communications service and is able to receive it or use it periodically over time; provided, however, that for purposes of the imposition and collection of the statewide 911 charge the term "subscriber" shall not include the State of Alabama, the counties within the state, incorporated municipalities of the State of Alabama, county and city school boards, independent school boards, and all educational institutions and agencies of the State of Alabama, the counties within the state, or any incorporated municipalities of the State of Alabama.
- (21) TECHNICAL PROPRIETARY INFORMATION. Technology descriptions, technical information, or trade secrets, including the term "trade secrets" as defined by the Alabama Trade Secrets Act of 1987, Chapter 27 of Title 8, and the actual or developmental costs thereof which are developed, produced, or received internally by a voice communications service provider or by its employees, directors, officers, or agents.
- (22) VOICE COMMUNICATIONS SERVICE. Any of the following:
- a. The transmission, conveyance, or routing of real-time, two-way voice communications to a point or between or among points by or through any electronic, radio, satellite, cable, optical, microwave, wireline, wireless, or other medium or method, regardless of the protocol used.
  - b. The ability to receive and terminate voice calls to and from the public switched telephone network.
  - c. Interconnected VoIP service, as that term is defined by 47 C.F.R. § 9.3.
  - d. Such other services to which the statewide 911 charge is applied pursuant to Section 11-98-4.1(e)(8).

(23) VOICE COMMUNICATIONS SERVICE PROVIDER. An entity that provides voice communications service to a subscriber in the State of Alabama.

(b) The terms "department," "prepaid retail transaction," "prepaid wireless telephone service," and "prepaid wireless consumer" shall have those meanings ascribed to them in Section 11-98-5.3.

*(Acts 1984, No. 84-369, p. 854, §3; Acts 1992, No. 92-562, p. 1165, §1; Acts 1992, 2nd Ex. Sess., No. 92-706, p. 181, §1; Act 2000-693, p. 1411, §1; Act 2012-293, p. 592, §1; Act 2014-431, p. 1582, §1; Act 2022-387, §1.)*

### **Section 11-98-2 Districts; creation; composition; powers and duties.**

The creating authority may by ordinance or resolution, as may be appropriate, create within its respective jurisdiction districts composed of the territory lying wholly within the municipality or of any part or all of the territory lying wholly within the county. The districts shall be political and legal subdivisions of the state, with power to sue and be sued in their corporate names and to incur debt and issue bonds. The bonds shall be negotiable instruments and shall be solely the obligations of the district and not the State of Alabama. The bonds and the income thereof shall be exempt from all taxation in the State of Alabama. The bonds shall be payable out of the income, revenues, and receipts of the district. The bonds shall be authorized and issued by resolution or ordinance of the creating authority of the district and shall be of such series, bear such date or dates, mature at such time or times, not to exceed 30 years from issuance, bear interest at such rate or rates, be in such denominations, be in such form, without coupon or fully registered without coupon, carry such registration and exchangeability privileges, be payable in such medium of payment and at such place or places, be subject to such terms of redemption, and be entitled to the priorities on the income, revenues, and receipts of the district as the resolution or ordinance may provide.

All bonds shall contain a recital that they are issued pursuant to this chapter, which recitals shall be conclusive that they have been duly authorized pursuant to this chapter.

*(Acts 1984, No. 84-369, p. 854, §1; Acts 1992, No. 92-562, p. 1165, §1; Act 2000-693, p. 1411, §1; Act 2012-293, p. 592, §1.)*

### **Section 11-98-3 The digits 911 established as primary emergency telephone number.**

It has been shown to be in the public interest to shorten the time required for a citizen to request and receive emergency aid. The provision of a single, primary three-digit emergency number through which emergency services can be quickly and efficiently obtained will provide a significant contribution to law enforcement and other public service efforts by simplifying the notification of public service personnel. Such a simplified means of procuring emergency services will result in the saving of life, a reduction in the destruction of property, quicker apprehension of criminals, and ultimately the saving of moneys. Establishment of a uniform emergency number is a matter of concern and interest to all citizens. It is the purpose of this chapter to establish the number 911 as the primary emergency telephone number for use in communications districts created in municipalities or counties as herein provided.

*(Acts 1984, No. 84-369, p. 854, §2.)*

**Section 11-98-4 Board of commissioners.**

(a) When any district is created, the creating authority may appoint a board of commissioners composed of seven members to govern its affairs and shall fix the domicile of the board of commissioners at any point within the district. In the case of county districts, after the expiration of the terms of the members of the board of commissioners holding office on May 23, 2000, there may be at least one member of the board of commissioners from each county commission district if the number of the county commission does not exceed seven, unless a resolution dated before January 1, 2000, was passed by a county commission establishing an appointment process different from this section or as otherwise provided by the enactment of a local act after May 23, 2000. The members of the board of commissioners shall be qualified electors of the district, two of whom shall be appointed for terms of two years, three for terms of three years, and two for terms of four years, dating from the date of the adoption of the resolution or ordinance creating the district. Thereafter, all appointments of the members shall be for terms of four years.

(b) The board of commissioners shall have complete and sole authority to appoint a chairman and any other officers it may deem necessary from among the membership of the board of commissioners.

(c) A majority of the board of commissioners membership shall constitute a quorum and all official action of the board of commissioners shall require a quorum.

(d) The board of commissioners may employ such employees, experts, and consultants as it deems necessary to assist the board of commissioners in the discharge of its responsibilities to the extent that funds are made available.

(e) In lieu of appointing a board of commissioners, the governing body of the creating authority may serve as the board of commissioners of the district, in which case it shall assume all the powers and duties of the board of commissioners as provided in this chapter.

(f) In addition to other authority and powers necessary to establish, operate, maintain, and replace an emergency communication system, the board of commissioners shall have the following authority:

(1) To sue and be sued, to prosecute, and defend civil actions in any court having jurisdiction of the subject matter and of the parties.

(2) To acquire or dispose of, whether by purchase, sale, gift, lease, devise, or otherwise, property of every description that the board may deem necessary, consistent with this section, and to hold title thereto.

(3) To construct, enlarge, equip, improve, maintain, and operate all aspects of an emergency communication system consistent with subsection (a) of Section 11-98-6.

(4) To borrow money for any of its purposes.

(5) To provide for such liability and hazard insurance as the board of commissioners may deem advisable to include inclusion and continuation, or both, of district employees in state, county, municipal, or self-funded liability insurance programs.

(6) To enter into contracts or agreements with public or private safety agencies for dispatch services when such terms, conditions, and charges are mutually agreed upon, unless otherwise provided by local law.

(7) To make grants to municipalities for dispatching equipment and services.

(g) The board of commissioners may elect to form a nonprofit, public corporation with all of the powers and authority vested in such political and legal entities. The certificate of incorporation shall recite, in part:

(1) That this is a nonprofit, public corporation and is a political and legal subdivision of the State of Alabama as defined in this chapter.

(2) The location of its principal office.

(3) The name of the corporation.

(4) That the governing body is the board of commissioners.

(h) Any other provisions of this chapter notwithstanding, the board of commissioners shall present to the creating authority for approval the acquisition, disposition, or improvements to real property.

(i) In addition to the provisions of subdivision (5) of subsection (f), each member of the board of commissioners and each director of an emergency communication district shall be bonded in an amount equal to one-half of one percent of the total funds received by the district in the prior fiscal year except the amount of the bond for any persons required to be bonded, shall not be less than ten thousand dollars (\$10,000) nor exceed fifty thousand dollars (\$50,000). The board of commissioners may require other employees to be bonded in an amount set by the board and made payable to the district. The bonds shall be paid for by the district, and a copy shall be on file at the offices of the district and at the office of the judge of probate of the county in which the district is incorporated. In the event the governing body of the creating authority serves as the board of commissioners of the district, each member of the board may combine the bond required herein with the bond required for service on the creating authority provided both the creating authority and the emergency communication district are adequately protected in the event of forfeiture and the portion of the bond payment required pursuant to this section is paid by the district.

*(Acts 1984, No. 84-369, p. 854, §4; Acts 1992, No. 92-562, p. 1165, §1; Act 2000-693, p. 1411, §1; Act 2010-503, p. 808, §1; Act 2012-293, p. 592, §1; Act 2015-53, §1.)*

#### **Section 11-98-4.1 Board created; composition; powers and duties.**

(a) There is created a statewide 911 Board comprised of 13 members that shall reflect the racial, gender, geographic, urban/rural, and economic diversity of the state. All appointing authorities shall coordinate their appointments so that diversity of gender, race, and geographical areas is reflective of the makeup of this state. The 911 Board shall be created effective July 1, 2012, and until the effective date of the statewide 911 charge pursuant to Section 11-98-5, with cooperation of the CMRS Board, shall plan for the implementation of the statewide 911 charge and the distribution of the revenues as provided herein. The reasonable administrative expenses incurred by the 911 Board prior to the implementation of the statewide 911 charge may be deducted from the existing CMRS Fund. Upon the effective date of the new statewide 911 charge, the 911 Board shall replace and supersede the CMRS Board formerly created pursuant to this chapter, and the CMRS Fund shall be incorporated into, and considered part of, the 911 Fund.

(b) The 13 members of the 911 Board, each of whom shall serve for a term of four years, shall be appointed by the Governor as follows:

(1) Seven members recommended by the Alabama Association of 911 Districts, one from each of the seven congressional districts, with each district representative recommended selected by vote of the Alabama Association of 911 Districts members from that congressional district. The initial appointments shall include the three district representatives on the CMRS Board who shall serve through March 31, 2014, and a member from the first, third, fifth, and seventh congressional districts as provided herein. Following the March 31, 2014, expiration of the terms of the district representatives drawn from the CMRS Board, the Governor shall appoint a member recommended by the Association of 911 Districts from each of the second, fourth, and sixth congressional districts, it being the intent of this section that each of the seven district representatives on the board be from a different congressional district, as such districts exist on May 8, 2012.

- (2) Two members recommended by CMRS providers licensed to do business in Alabama.
- (3) Two members recommended by incumbent local exchange carriers operating in Alabama, who shall not be from the same local exchange carrier.
- (4) Two members recommended by cable companies that provide interconnected VoIP services in Alabama, who shall not be from the same cable company.
- (c) For purposes of the initial board appointments, (1) five members of the board shall be appointed for a four-year term; (2) four members for a three-year term; (3) the three members of the CMRS Board who are appointed pursuant to subdivision (1) of subsection (b) to terms ending on March 31, 2014; and (4) the remaining member for a two-year term. Thereafter, board members shall serve staggered terms of four years. In the event of a vacancy, the vacancy shall be filled for the balance of the unexpired term in the same manner as the original appointment. Any vacancy occurring on the 911 Board, whether for an expired or unexpired term, shall be filled by appointment as soon as practicable after the vacancy occurs, whether for an expired or unexpired term.
- (d) For all terms expiring after June 1, 2014, the governmental entities or industry groups identified in subsection (b) shall recommend at least two different persons for each board position for which they are charged with making a recommendation, with the Governor appointing a member from among such recommended candidates. For all terms expiring after July 1, 2015, appointments made by the Governor shall be subject to confirmation by the Senate as provided in this subsection. Appointments made at times when the Senate is not in session shall be effective immediately ad interim and shall serve until the Senate acts on the appointment as provided herein. Any appointment made while the Senate is not in session shall be submitted to the Senate not later than the third legislative day following the reconvening of the Legislature. In the event the Senate fails or refuses to act on the appointment, the person whose name was submitted shall continue to serve until action is taken on the appointment by the Senate.
- (e) The statewide 911 Board shall have the following powers and duties:
  - (1) To develop and publish a 911 Annual Report. In fulfilling this duty, the 911 Board shall monitor trends in voice communications service technology and in enhanced 911 service technology, investigate, and incorporate Geographical Information Systems (GIS) mapping and other resources into the report, and include recommended strategies for the efficient and effective delivery of enhanced 911 service. In addition, the board shall study the rates charged for 911 services and make adjustments to the rates as provided in this chapter; recommend any statutory changes necessary to ensure the most efficient and effective delivery of 911 services in Alabama over both the long- and short-term; and provide a copy of its 911 Annual Report to members of the boards of the districts in the state through the Alabama Association of 911 Districts.
  - (2) To administer the 911 Fund and the monthly statewide 911 charge authorized by Section 11-98-5.
  - (3) To distribute revenue in the 911 Fund in accordance with this chapter.
  - (4) To establish policies and procedures, adopted in accordance with the Alabama Administrative Procedure Act, to fund advisory services, grants, and training for districts and to provide funds in accordance with these policies and procedures to the extent funds are available.
  - (5) To make and enter into contracts and agreements necessary or incidental to the performance of its powers and duties under this chapter and to use revenue available to the 911 Board under Section 11-98-5 for administrative expenses to pay its obligations under the contracts and agreements.
  - (6) To accept gifts, grants, or other money for the 911 Fund.

(7) To undertake its duties in a manner that is competitively and technologically neutral as to all voice communications service providers.

(8) To administer the deployment and operation of a statewide 911 voice and data system that utilizes emerging communication technologies that are capable of connecting to a 911 system and delivering 911 and emergency information to districts. The board shall use its available revenue to pay obligations under the contracts and agreements for a statewide 911 voice and data system.

(9) To adopt rules in accordance with the Administrative Procedure Act to implement this chapter; to establish the statewide 911 charge; and, in response to technological changes, apply, collect, and remit the statewide 911 charge, without duplication, to the active service connections of other originating service providers that are technically capable of accessing a 911 system, subject to the provisions applicable to voice communications service providers under this chapter.

(10) To take other necessary and proper action to implement this chapter.

*(Act 2012-293, p. 592, §2; Act 2014-431, p. 1582, §1; Act 2019-70, §1.)*

#### **Section 11-98-4.2 Annual report.**

The Executive Director of the statewide 911 Board shall prepare an annual report detailing the training provided and administered by the 911 Board for 911 dispatchers. The report shall be submitted to the President Pro Tempore of the Senate and the Speaker of the House of Representatives by February 1, 2020, and by February 1 each year thereafter.

*(Act 2019-70, §2.)*

#### **Section 11-98-5 Monthly statewide 911 charge.**

(a) A single, monthly statewide 911 charge shall be imposed on each active voice communications service connection in Alabama that is technically capable of accessing a 911 system. For each digital transmission link, including primary rate interface service or Digital Signal-1 (DS-1) level service, or equivalent, that can be channelized and split into 23 or 24 voice-grade or data-grade channels for voice communications, a subscriber shall be assessed on the number of channels configured for or capable of accessing a 911 system. If the number of such channels so configured is not readily determinable, the service charge per DS-1, or equivalent, shall be assessed on 23 voice communications service connections. The 911 Board shall also establish a maximum number of wireline 911 charges to be imposed at a single subscriber location for bills rendered on or after January 1, 2015, following the same procedures and deadlines provided in this subsection for a subsequent adjustment to the initial statewide 911 charge, which shall not be counted against the number of permitted rate adjustments during such fiscal year. For CMRS providers, the statewide 911 charge shall be levied on each CMRS connection with a primary place of use in the State of Alabama. The statewide 911 charge is payable by the subscriber to the voice communications service provider. Except as otherwise provided in this chapter, the voice communications service provider shall list the statewide 911 charge separately from other charges on the bill and the charge shall be collected according to the regular billing practice of the voice communications service provider. The statewide 911 charge collected under this section shall not be subject to taxes or charges levied on or by the voice communications service provider nor shall the charges and fees be considered revenue of the voice communications service provider for any purposes. Partial payments made by a subscriber are applied first to the amount owed for voice communications service. The 911 Board shall collect from each voice communications service provider the monthly statewide 911 charges prescribed herein.

The initial statewide 911 charge shall be developed by the 911 Board at an amount calculated to produce, after deduction of administrative fees specified in this chapter, annual total revenues equal to the annual 911 fees collected by or on behalf of, or owed to, districts and governmental bodies, as calculated for purposes of the base distribution amount under subdivision (3) of subsection (b) of Section 11-98-5.2, plus, without duplication, (1) the amount of CMRS service charges collected by the CMRS Board for the 12 months ending September 30, 2011, and (2) an amount equal to any other taxpayer funding of E-911 systems by counties or municipalities in areas where no separate 911 fee is imposed. The revenues and other funds used to determine the initial statewide 911 charge shall be hereafter referred to as the baseline 911 revenues. The statewide 911 charge shall be uniformly applied and shall be imposed throughout the state, and shall replace all other 911 fees or 911 taxes. The 911 Board shall certify that the initial statewide 911 charge adopted herein is reasonably calculated so as not to exceed the funding requirements of this chapter. The board shall submit the recommended statewide 911 charge to the Permanent Oversight Commission for review and approval no later than March 1, 2013. The Permanent Oversight Commission may reject the recommended statewide 911 charge and specify an alternative charge, calculated in accordance with this chapter, by an affirmative vote of six of its members; provided, however, in no case may the Permanent Oversight Commission establish a rate which reduces funding below that necessary to produce the baseline 911 revenues as established under this chapter. Failure of the Permanent Oversight Commission to reject the recommended statewide charge and specify an alternative charge within 30 days of submission shall result in the charge being deemed approved for implementation on October 1, 2013, without the need for further action. Should the Permanent Oversight Commission reject the recommended statewide 911 charge and specify an alternative rate, it shall specify the basis for its action to the board, which may, by a supermajority of 60 percent of a quorum of its members, reject the alternative charge in favor of its original recommended charge or a lower charge. The statewide 911 charge established by the 911 Board following such second review shall not be subject to further review by the Permanent Oversight Commission and shall take effect automatically on October 1, 2013. Failure of the 911 Board to reject or modify the alternative charge submitted by the Permanent Oversight Commission within 30 days of submission shall result in the alternative charge being deemed approved for implementation on October 1, 2013, without the need for further action.

(b) A voice communications service provider shall remit the statewide 911 charge collected by it under this section to the 911 Board, utilizing such electronic or paper reporting forms that may be adopted by the 911 Board by rule. The provider shall remit the collected charges by the end of the calendar month following the month the provider received the charges from its subscribers. A voice communications service provider may deduct and retain from the statewide 911 charges it receives from its subscribers and remits to the 911 Board an administrative allowance in an amount equal to one percent. The voice communications service provider shall maintain records of the amount of the statewide 911 fees collected for a period of at least two years from the date of collection. Good faith compliance by the voice communications service supplier with this chapter shall constitute a complete defense to any legal action or claim that may result from the voice communications service provider's determination of nonpayment or the identification of service users, or both.

(c) Subject to succeeding provisions of this subsection:

(1) The 911 Board, from time to time but in no event more than once every fiscal year, shall increase or decrease the rate of the statewide 911 charge by an amount reasonably calculated to produce the baseline 911 revenues, plus any additional revenues necessary to meet the requirements of subdivision (6) of subsection (b) of Section 11-98-5.2.



(2) The 911 Board, not later than October 1 in the year 2018 and each fifth year thereafter, shall adjust the 911 charge to produce an increase in the baseline 911 revenues sufficient to increase the amount distributed to each district under this chapter during the immediately preceding fiscal year by an amount equal to the rate of growth, determined as a percentage, in the Consumer Price Index for Urban Consumers (CPI-U) for such five-year period. Once adjusted as provided in this section, the resulting revenues shall become the baseline 911 revenues until amended or adjusted under the procedures established in this chapter.

(3) Any adjustments to the statewide 911 charge pursuant to this subsection shall follow the same procedures, standards, and deadlines provided in subsection (a) for review of the initial statewide 911 charge, with the exception that the adjustment shall be effective at a date set by the board at least 90 days after, as applicable, the expiration of the time period for action by the Permanent Oversight Committee on the adjustment or the 911 Board's action in adopting a final adjustment following action by the Permanent Oversight Committee. In addition, the 911 Board, not less than 90 days prior to the effective date of any such increase or decrease in the rate of the statewide 911 charge, shall notify each voice communications service provider and CMRS provider of such increase or decrease, as the case may be. Notwithstanding any provision of this subsection to the contrary, in no event shall the revenues produced by the statewide 911 charge exceed the amounts deemed by the 911 Board to be necessary to satisfy the requirements of this chapter.

(d) A voice communications service provider has no obligation to take any legal action to enforce the collection of the statewide 911 charge billed to a subscriber. The 911 Board may initiate a collection action, and reasonable costs and attorney's fees associated with that collection may be assessed against the subscriber. A voice communications service provider shall quarterly report to the 911 Board the amount of the provider's uncollected service charges. The 911 Board may request, to the extent permitted by federal and state privacy laws, the name, address, and telephone number of a subscriber who refuses to pay the statewide 911 charge.

(e) No district may impose a service charge or other fee on a subscriber to support a 911 system.

(f) At any time after October 1, 2013, should the 911 Board determine that the revenues allocated to CMRS providers under subdivision (7) of subsection (b) of Section 11-98-5.2 for reimbursement to CMRS providers exceed those necessary to meet funding requirements, it may distribute any excess revenues in accordance with subdivision (1) of subsection (b) of Section 11-98-5.2.

*(Acts 1984, No. 84-369, p. 854, §3; Acts 1992, No. 92-562, p. 1165, §1; Acts 1992, 2nd Ex. Sess., No. 92-706, p. 181, §1; Acts 1995, No. 95-667, p. 1378, §1; Acts 1996, 1st Ex. Sess., No. 96-47, p. 62, §3; Act 2012-293, p. 592, §1; Act 2014-431, p. 1582, §1.)*

### **Section 11-98-5.2 911 Fund.**

(a) Effective October 1, 2013, the 911 Fund shall be created as an insured interest-bearing account into which the 911 Board shall deposit all revenues derived from the service charge levied on voice communications service providers under this chapter and all prepaid wireless 911 charges received from the department. The revenues deposited into the 911 Fund shall not be monies or property of the state and shall not be subject to appropriation by the Legislature. The 911 Board shall administer the fund and shall credit the 911 Fund all revenues received. The fund and revenues generated by the fund may only be used as provided in this chapter.

(b) Effective October 1, 2013, there shall first be deducted, no more than one time during each calendar month, from the total amount of the statewide 911 charges paid over to the 911 Board during such month, a sum not to exceed one percent of the total amount, to be applied by the 911 Board exclusively for payment of administrative expenses theretofore incurred by it and, at the board's discretion, the awarding of additional operational grants to districts outside of the other distribution criteria in this subsection upon a showing of hardship. The balance of the total amount of the statewide 911 charges paid over to the 911 Board during each calendar month shall be deposited into the 911 Fund and shall be apportioned and distributed in accordance with the succeeding provisions of this subsection.

(1) There shall be distributed each month among all then existing districts, from the moneys then on deposit in the 911 Fund, an aggregate amount equal to the sum of a. 80 percent of the portion of the statewide 911 charges remitted to the 911 Board with respect to the month by CMRS providers and for prepaid wireless 911 charges, plus b. 100 percent of all other statewide 911 charges remitted to the 911 Board with respect to the month.

(2) There shall be paid each month to each then existing district, out of the amount described in subdivision (1), one-twelfth of the sum of the base distribution amount defined, as applicable, in subdivisions (3) and (4), plus the per capita distribution amount defined in subdivision (5).

(3) The term base distribution amount, as used in this section with respect to any district with a functioning 911 system as of September 30, 2011, and except as otherwise provided in this subdivision and subdivision (4), means the highest dollar amount per annum of emergency telephone service charges, excluding any fees received from the CMRS Fund, if any, received by the district during the five prior consecutive fiscal years ending on September 30, 2011; provided, that, if the district first levied any such service charge, or if the district by vote of the commissioners of the district, during the fiscal year ending on September 30, 2011, or seven months thereafter, increased the rate of the charge effective on or before January 1, 2013, then the total dollar amount of the emergency telephone service charges with respect to the fiscal year ending September 30, 2011, shall be deemed to be the amount that would have been collected had the increased rate been in effect for the entire fiscal year ending September 30, 2011. Any vote of the commissioners authorizing an increase in fees under the preceding sentence may be contingent upon the enactment of Act 2012-293. No adjustment shall be made under the preceding sentence to take into account any increase in an emergency service charge adopted by a district after January 1, 2012, if such district shall have otherwise increased its emergency service charge since January 1, 2011. For any district established prior to September 30, 2011, but which initiated 911 service between September 30, 2011, and June 1, 2012, the base distribution amount shall be deemed to be the amount that would have been collected if the 911 charge imposed by the district on August 1, 2012, had been in effect for the entire fiscal year. For any county or municipal district that was funding an E-911 system on September 30, 2011, without a separate 911 fee, the base distribution amount shall be the product of: That amount determined by the board to be the county or municipality's total funding of its E-911 system for purposes of calculation of the initial statewide rate under subsection

(a) of Section 11-98-5, multiplied by a fraction, the numerator of which is the total wireline 911 fees paid to all districts as of September 30, 2011, and the denominator of which is the total wireline and wireless 911 fees determined by the board to have been paid to all districts and the CMRS Board for the same period. Within 90 days of the effective date of any adjustment in the statewide 911 charge to increase the baseline 911 revenues under subdivision (2) of subsection (c) of Section 11-98-5, the base distribution amount shall be increased by an amount equal to the product of: a. the total amount distributed to the district in the immediately preceding fiscal year, multiplied by b. the rate of growth, determined as a percentage, in the CPI-U utilized by the 911 Board for the prior five-year period pursuant to subdivision (2) of subsection (c) of Section 11-98-5.

(4)a. Any district that has, prior to March 1, 2011, entered into one or more contracts, including, without limitation, any lease, lease-purchase, or purchase agreement or contract, to acquire equipment utilized or to be utilized as part of a single, comprehensive, countywide radio system to be operated within the boundaries of the district, may, no later than December 31, 2012, provide the 911 Board a copy of a pro forma financial statement setting forth revenue and expense projections demonstrating the ability of the district to pay all principal and interest maturing or coming due with respect to any contracts, and any bonds or other obligations issued or incurred by the district to evidence the borrowing of money by the district in connection with the planning, acquisition, construction, and equipment of the countywide radio system, and other system costs. Such revenue projections shall set forth the district's annualized revenues that would be included in the base distribution amount as calculated in subdivision (3), for the fiscal year of the district ending on September 30, 2011, or any fiscal year thereafter during which the contracts, bonds, or other obligations are expected to be outstanding and unpaid, and the amount received by the district during the fiscal year ending September 30, 2011, from the CMRS Fund. The pro forma statement shall be accompanied by such supporting information as may be reasonably requested by the 911 Board, whose review shall be limited to the accuracy and reasonableness of the revenue and expense projections contained therein solely for the purposes of this subsection and which shall not extend to the approval or disapproval of any projects authorized by the district under existing law.

b. For a district meeting the requirements of this subdivision, the base distribution amount for the district, during any fiscal year or years in which the contracts, bonds, or other obligations outstanding and unpaid, shall be increased by the difference, if any, between the revenue projections shown in the pro forma financial statement and the base distribution amount as calculated under subdivision (3), and the district's per capita distribution amount, as defined in subdivision (5), shall be reduced by an amount equal to the difference, with the amount of the reduction added to the amount available for payment to other districts under subdivision (5).

(5) The term per capita distribution amount, as used in this section with respect to any district, means the district's pro rata share, computed according to the distribution formula, of the amount described in subdivision (1) that remains after payment in full of the aggregate base distribution amounts required to be paid to all districts.

(6) Notwithstanding the preceding provisions of this subsection, there shall never be paid to any district, during any fiscal year, from the moneys deposited into the 911 Fund, an amount less than the sum of the total dollar amount of the initial base distribution amount received by the district as calculated under subdivision (3) plus, without duplication, amount received by the district from the CMRS Fund during the fiscal year ending September 30, 2011. For any county or municipal district that was funding an E-911 system on September 30, 2011, without a separate 911 fee, there shall never be paid from the moneys deposited into the 911 Fund, during any fiscal year, an amount less than the sum that amount determined by the board to be the county or municipality's funding of its E-911 system for purposes of calculation of the initial statewide rate under this section.

(7) Except as otherwise provided in subdivision (6), there shall be set aside and deposited each month, into a separate account, which may, but need not, form a part of the 911 Fund, an amount equal to 20 percent of the portion of the statewide 911 charges remitted to the 911 Board with respect to the month by CMRS providers. All moneys in the separate account shall be used exclusively for payment of actual and direct costs incurred by CMRS providers in complying with wireless E-911 service requirements established by the FCC Order and complying with any rules or regulations adopted at any time by the FCC pursuant to the FCC Order; and the costs may include, without limitation, costs and expenses incurred in connection with designing, upgrading, purchasing, leasing, programming, installing, testing, or maintaining all necessary data, hardware, and software required in order to provide Phase II Enhanced 911, and the incremental costs of operating Phase II Enhanced 911.

(c) Each CMRS provider wishing to participate in the payments provided in subdivision (7) of subsection (b) for expenses related to providing Phase II Enhanced 911 shall certify to the 911 Board that it does not then collect a cost-recovery or other similar separate charge from its customers. CMRS providers failing to provide the certification by October 1 are ineligible to receive any payments until such certificate is provided to the 911 Board. Any CMRS provider electing to collect cost-recovery or other similar separate charges at any time following its October 1 certification shall immediately notify the 911 Board and is ineligible to participate in the payments established in this subsection until ceasing the collection from its customers and providing the notice required herein. This requirement shall only apply to payments for expenses related to providing Phase II Enhanced 911.

(d) Any CMRS provider wishing to receive reimbursement of costs under the guidelines established by subsection (c) shall also comply with Section 11-98-7.

(e) In the event that there are wireless emergency telephone services that cannot be efficiently performed at the district level or there are expenses that cannot be properly allocated at the district level, the 911 Board may determine the smallest practical unit basis for joint implementation and provide reimbursements in accordance with this section.

*(Act 2012-293, p. 592, §2.)*

### **Section 11-98-5.3 Prepaid wireless telephone service.**

(a) As used in this section, the following words and terms shall have the following meanings unless the context clearly indicates otherwise:

(1) DEPARTMENT. The Department of Revenue for the State of Alabama.

(2) PREPAID RETAIL TRANSACTION. The purchase of prepaid wireless telecommunications service from a seller for any purpose other than resale.

(3) PREPAID WIRELESS CONSUMER. A person who purchases prepaid wireless telecommunications service in a retail transaction.

(4) **PREPAID WIRELESS TELEPHONE SERVICE.** A service that meets all of the following requirements:

- a. Authorizes the purchase of CMRS, either exclusively or in conjunction with other services.
- b. Must be paid for in advance.
- c. Is sold in units or dollars whose number or dollar value declines with use and is known on a continuous basis.

(b) Notwithstanding any other provision of this chapter, the current CMRS emergency telephone service charge established under subdivision (1) of subsection (b) of Section 11-98-7 and, upon its implementation, the replacement, statewide 911 charge to be established under subsection (a) of Section 11-98-5 shall be collected on prepaid wireless telephone service on each retail transaction as follows:

(1) The prepaid wireless statewide 911 charge shall be collected on prepaid wireless by the seller from the prepaid wireless consumer with respect to each retail transaction occurring in this state. The amount of the prepaid wireless 911 charge shall be either separately stated on an invoice, receipt, or other similar document that is provided to the prepaid wireless consumer by the seller, or otherwise disclosed to the prepaid wireless consumer. If a minimal amount of prepaid wireless telephone service is sold for a single, non-itemized price as part of the purchase of a wireless communications device, the seller may elect not to apply the prepaid communications charge to the initial transaction. For these purposes, a service allotment denominated as 10 minutes or less, or five dollars (\$5) or less, is a minimal amount. If the seller elects to collect such charge, it shall be treated as all other prepaid communications charges under this chapter.

(2) For purposes of subdivision (1), a retail transaction that is effected in person by a prepaid wireless consumer at a business location of the seller shall be treated as occurring in this state if that business location is in this state, and any other retail transaction shall be treated as occurring in this state if the retail transaction is treated as occurring in this state for purposes of Chapter 23 of Title 40.

(3) The prepaid wireless 911 charge is the liability of the prepaid wireless consumer and not of the seller or of any provider, except that the seller shall be liable to remit all prepaid wireless 911 charges that the seller collects from prepaid wireless consumers as provided in subdivisions (6) and (7) of this subsection, including all charges that the seller is deemed to collect where the amount of the charge has not been separately stated on an invoice, receipt, or other similar document provided to the prepaid wireless consumer by the seller.

(4) The amount of the prepaid wireless 911 charge that is collected by a seller from a prepaid wireless consumer, if the amount is separately stated on an invoice, receipt, or other similar document provided to the prepaid wireless consumer by the seller, shall not be included in the base for measuring any tax, fee, surcharge, or other charge that is imposed by this state, any political subdivision of this state, or any intergovernmental agency.

(5) The prepaid wireless 911 charge shall be increased or decreased, as applicable, upon any change to the rate specified in subdivision (1) of subsection (b) of Section 11-98-7 or, upon its implementation, the statewide 911 charge. The increase or decrease shall be effective on the effective date of the change to the postpaid charge or, if later, the first day of the first calendar month to occur at least 60 days after the enactment of the change to the rate specified in subdivision (1) of subsection (b) of Section 11-98-7 or, upon its implementation, the statewide 911 charge. The department shall provide not less than 30 days of advance notice of the increase or decrease on the department's website.

(6) Prepaid wireless 911 charges collected by sellers shall be remitted to the department at the times and in the manner provided by Chapter 23 of Title 40. The department shall establish registration and payment procedures that substantially coincide with the registration and payment procedures that apply to Chapter 23, Title 40.

(7) A seller shall be permitted to deduct and retain four percent of prepaid wireless 911 charges that are collected by the seller from prepaid wireless consumers.

(8) The audit and appeal procedures applicable to Chapter 23 of Title 40 shall apply to prepaid wireless 911 charges.

(9) The department shall establish procedures by which a seller of prepaid wireless telecommunications service may document that a sale is not a retail transaction, which procedures shall substantially coincide with the procedures for documenting sales for resale transactions for sales and use tax purposes under Chapter 23 of Title 40.

(10) The department shall pay all remitted prepaid wireless 911 charges over to the Commercial Mobile Radio Services Board and, upon the effective date of the statewide 911 charge, to the statewide 911 Board, within 30 days of receipt, for use by the board in accordance with the purposes permitted by this chapter, after deducting an amount, not to exceed two percent of collected charges, that shall be retained by the department to reimburse its direct costs of administering the collection and remittance of prepaid wireless 911 charges.

(c) The enactment of this section does not constitute an expression as to the application of the CMRS service charge to prepaid service before the adoption of Act 2012-293.

*(Act 2012-293, §2.)*

#### **Section 11-98-6 Disposition of funds.**

(a) Funds received by a district pursuant to Section 11-98-5.2 shall be used to establish, operate, maintain, and replace an emergency communication system that, without limitation, may consist of the following:

(1) Telephone communications equipment to be used in answering, transferring, and dispatching public emergency telephone calls originated by persons within the service area who dial 911.

(2) Emergency radio communications equipment and facilities necessary to transmit and receive dispatch calls.

(3) The engineering, installation, and recurring costs necessary to implement, operate, and maintain an emergency communication system.

(4) Facilities to house E-911 operators and related services as defined in this chapter, with the approval of the creating authority, and for necessary emergency and uninterruptable power supplies for the systems.

(5) Administrative and other costs related to subdivisions (1) to (4), inclusive.

(b) A district or county or municipal governing body may receive federal, state, county, or municipal real or personal property and funds, as well as real or personal property and funds from private sources, and may expend the funds or use the property for the purposes of this chapter.

(c) Subject to the remaining provisions of this chapter and the approval of the 911 Board and the creating authority, two or more districts, cities, or counties, or a city and a county in another district may agree to cooperate, to the extent practicable, to provide funding and service to their respective areas, and a single board of commissioners of not more than seven members may be appointed to conduct the affairs of the entities involved. In the event that two or more districts are consolidated for purposes of this chapter, the base distribution amount as defined in Section 11-98-5.2 (b)(3) shall include the combined base distribution amounts that would have been calculated for the individual districts.

(d) Subject to rules that may be adopted by the 911 Board, a district may expend available funds to establish a common address and location identification program and to establish the emergency service number data base to facilitate efficient operation of the system. The governing body and the E-911 Board of each county or city affected shall be jointly responsible for purchasing and installing the necessary signs to properly identify all roads and streets in the district.

(e) Beginning with fiscal year 2013, the Department of Examiners of Public Accounts shall audit each district on a biennial basis to ensure compliance with the requirements of this chapter regarding both revenues and expenditures.

*(Acts 1984, No. 84-369, p. 854, §5; Acts 1992, No. 92-562, p. 1165, §1; Act 98-338, p. 584, §1; Act 2007-459, p. 950, §1; Act 2012-293, p. 592, §1.)*

#### **Section 11-98-7 Reimbursement of CMRS providers from 911 Fund.**

(a) CMRS providers are eligible for reimbursement from the 911 Fund as set forth in subsections (b) and (c) of Section 11-98-5.2. To obtain reimbursement, a CMRS provider shall comply with all of the following:

(1) Invoices shall be sworn.

(2) All costs and expenses must be commercially reasonable.

(3) All invoices for reimbursement shall be directly related to compliance with the requirements of enhanced 911 service.

(4) The board shall adopt rules providing for prior approval of any expenditures for which the CMRS provider intends to seek reimbursement in excess of a threshold amount.

(5) All invoices shall be supported by such reasonable supporting documents as required by the board and shall be subject to audit.

(b) If the total amount of invoices submitted to the 911 Board and approved for payment in a month exceeds the amount available from the 911 Fund for reimbursements to CMRS providers, the amount payable to each CMRS provider shall be reduced proportionately so that the amount paid does not exceed the amount available for payment. The balance of the payment is deferred to the following month. A deferred payment accrues interest at a rate equal to the rate earned by the 911 Fund until it is paid.

*(Acts 1984, No. 84-369, p. 854, §6; Act 98-338, p. 584, §1; Act 2007-459, p. 950, §1; Act 2008-146, p. 233, §3; Act 2012-293, p. 592, §1.)*

**Section 11-98-9 Technical proprietary information.**

All technical proprietary information submitted to the board or to the independent third-party auditor as provided by Section 11-98-13 shall be retained by the board and the auditor in confidence and shall be subject to review only by the Examiners of Public Accounts. Notwithstanding any other provision of the law, no technical proprietary information submitted shall be subject to subpoena or otherwise released to any person other than to the submitting voice communication provider, the board, and the independent third-party auditor without the express permission of the administrator and the submitting voice communication provider. General information collected by the independent third-party auditor shall only be released or published in aggregate amounts which do not identify or allow identification of numbers of subscribers or revenues attributable to an individual voice communication provider. Notwithstanding any other provision of the law, no district, political subdivision, voice communication provider, or its employees, directors, officers, or agents shall be liable for any damages in a civil action or subject to criminal prosecution resulting from death, injury, or loss to persons or property incurred by any person in connection with establishing, developing, implementing, maintaining, operating, and otherwise providing 911 service in compliance with the requirements established by the FCC or other state or federal requirement, except in the case of willful or wanton misconduct.

*(Act 98-338, p. 584, §2; Act 2012-293, p. 592, §1.)*

**Section 11-98-10 Restrictions on 911 use; secondary backup emergency number authorized; certain automatic alerting devices connected to network prohibited; possible penalties for misuse.**

(a) The telephone number 911 is restricted to emergency calls that may result in dispatch of the appropriate response for: fire suppression and rescue, emergency medical services or ambulances, hazardous material, disaster, or major emergency occurrences, and law enforcement activities.

(b) The digits 911 shall be the primary emergency telephone number, but the involved agencies may maintain a separate secondary backup number and shall maintain a separate number for non-emergency telephone calls.

(c) No person shall connect to a service supplier's network or to a CMRS provider's network any automatic alarm, or other automatic alerting device that automatically dials, without human initiation, and provides a pre-recorded message in order to directly access the services that may be obtained through dialing 911.

(d) The making of a false alarm, complaint, or knowingly reporting false information using the E-911 system, may subject the caller to penalties as provided by law.

*(Act 98-338, p. 584, §2.)*

**Section 11-98-11 Methods of response to emergency calls.**

(a) The enhanced 911 system shall be designed to have the capability of utilizing at least one of the following methods in response to emergency calls:

(1) Direct dispatch method, which is a service to a centralized dispatch center providing for the dispatch of an appropriate emergency service unit upon receipt of a request for services and a decision as to the proper action to be taken.

(2) Relay method, which is a service whereby pertinent information is noted by the recipient of a request for emergency services, and is relayed to the appropriate emergency service providers or other providers of emergency services for dispatch of an emergency service unit.



(3) Transfer method, which is a service that receives requests for emergency services and directly transfers the requests to an appropriate emergency service provider or other provider of emergency services.

(4) Referral method, which is a service that, upon the receipt of a request for emergency services, provides the requesting party with the telephone number or other contact information of the appropriate emergency service provider or other provider of emergency services.

(b)(1) The board of commissioners of each district shall select the method or methods that it determines to be the most feasible for the county or municipality.

(2) In addition to the method selected under subdivision (1), the board of commissioners of each district shall select one or more reasonable alternative methods to respond to emergency calls in the district in the event the primary method under subdivision (1) fails or is otherwise rendered temporarily unavailable. The reasonable alternative method authorized under this subdivision may include a method not specifically enumerated under subsection (a).

(c) Notwithstanding any other law to the contrary, regardless of the method of response selected by the board of commissioners pursuant to subsection (b), a PSAP shall require a 911 operator who answers a 911 call at the PSAP to remain on the call with the individual until the PSAP has connected the individual with the appropriate provider of emergency services.

(d) Nothing in this chapter shall expand the obligations of any CMRS, voice communications, or other originating service provider to transmit, convey, or route a voice call, video call, text call, data-only call, or any other request for assistance to an emergency service provider beyond the requirements set forth under federal law and valid regulations of the Federal Communications Commission.

*(Act 98-338, p. 584, §2; Act 2022-387, §1.)*

### **Section 11-98-12 Release of audio recording; public records; transcript.**

(a) An emergency communications district may not release the audio recording of a 911 telephone call or the name of a victim except pursuant to a court order finding that the right of the public to the release of the recording outweighs the privacy interests of the individual who made the 911 call, the victim, or any person involved in the facts or circumstances relating to the 911 call. This section shall not apply to law enforcement personnel conducting an investigation where the 911 telephone call is or may be relevant to the investigation.

(b) An audio recording may be released without a court order to the caller whose voice is on the 911 audio recording or, in the event that the caller is deceased or incapacitated, to the legal representative of the caller or the caller's estate, provided the person seeking the 911 audio recording submits a sworn affidavit to include sufficient information so that the emergency communications district director may verify the statements which attest to the following facts:

(1) That the individual signing the affidavit is the caller or that the caller is deceased or incapacitated and the individual signing the affidavit is the legal representative of the caller or the caller's estate.

(2) That release of the 911 audio recording is pertinent to the investigation of a legal matter resulting from the events necessitating the making of the 911 call at issue.

(c) Notwithstanding subsections (a) and (b), any written or electronic record detailing the circumstances, response, or other events related to a 911 call, other than the audio recording of the 911 call, which is kept by the emergency communications district in its regular course of business shall be deemed a public writing under Section 36-12-40, and subject to public inspection as otherwise provided by law.

(d)(1) Notwithstanding subsections (a) and (b), upon request by a person or individual granted access to public writing under Section 36-12-40 and payment of a reasonable fee not to exceed the actual cost of transcription, an emergency communications district shall provide to the requestor a transcript of a specific 911 telephone call which is kept by the emergency communications district in its regular course of business.

(2) A request for a 911 transcript pursuant to this subsection shall identify the 911 transcript with a degree of specificity that allows the emergency communication district to identify the individual call from others that may have been received during the same time period as the call to which the requested transcript relates or from others involving similar circumstances.

(3) Before providing the transcript, the emergency communications district may redact the name, address, and telephone number of the caller or any individual involved in the facts or circumstances relating to the 911 call, as well as any other personal identifying or sensitive information.

(4) A person who has requested a transcript pursuant to this subsection shall be responsible for that transcript following receipt of the transcript.

(e) An emergency communications district shall retain a recording of each 911 telephone call received by the district for two years following the date of the call. At the request of any agency conducting a criminal investigation or any attorney conducting a civil investigation, the district shall retain a recording for an additional two years.

*(Act 2010-502, p. 806, §1; Act 2022-363, §1.)*

#### **Section 11-98-13 Biennial audit.**

On a biennial basis, if not more frequently, the 911 Board shall retain an independent, third-party auditor for the purposes of receiving, maintaining, and verifying the accuracy of any and all information, including all proprietary information, that is required to be collected, or that may have been submitted to the board by voice communication providers and districts, and the accuracy of the collection of the 911 service charge required to be collected.

*(Act 2012-293, p. 592, §2.)*

#### **Section 11-98-13.1 Permanent Oversight Commission on 911.**

(a) The Permanent Oversight Commission on 911 is established. The commission shall do the following:

(1) Study the operational and financial condition of the current 911 systems within the State of Alabama and publish a report detailing the same.

(2) Study the rate charged for 911 services and make recommendations to the board regarding adjustments to the rate.

(3) Develop recommendations for the most efficient and effective delivery of 911 services in Alabama over both the long- and short-term.

(4) Study the charges levied by each telecommunications provider to each communications district for both data base and network charges.

(5) Develop legislation necessary to implement its long-term 911 plan.

(6) Report its findings, recommendations, and proposed legislation to the Legislature prior to the last day of the 2014 Regular Session.

(b) The commission shall remain in place until the later of the end of the 2014 Regular Session or the time necessary to complete any pending review of a proposed adjustment to the statewide 911 charge adjustment under Section 11-98-5 after which the duties, responsibilities, and powers of the Permanent Oversight Committee under this chapter shall be assumed by the Joint Committee on Administrative Regulation Review. Any action under this chapter requiring an affirmative vote of six of the members of the Permanent Oversight Committee, following its termination, may be taken by a vote of a majority of the members of the Joint Committee on Administrative Regulation Review, and any requirement for prior submission of a proposed rule to the Permanent Oversight Committee under Section 11-98-4.1(e)(8), shall be replaced in its entirety by the normal procedure for adoption and legislative review of an agency rule under the Alabama Administrative Procedure Act.

(c) The commission shall be comprised of the following members:

(1) Three members of the House of Representatives, to be appointed by the Speaker of the House of Representatives.

(2) Three members of the Senate, to be appointed by the President Pro Tempore of the Senate.

(3) Three members to be appointed by the Governor, who shall include a representative of the districts and the State 911 Coordinator.

(d) The membership of the commission shall be inclusive and reflect the racial, gender, geographic, urban/rural, and economic diversity of the state.

(e) The chair and vice chair of the commission shall be elected at the first meeting by the members of the commission.

(f) Upon request of the chair, the Secretary of the Senate and the Clerk of the House of Representatives shall provide necessary clerical assistance for the work of the commission.

(g) Each legislative member of the commission shall be entitled to his or her regular legislative compensation, his or her per diem, and travel expenses for each day he or she attends a meeting of the commission. Upon requisitions signed by the chair of the commission, these payments shall be paid out of any funds appropriated to the use of the Legislature by means of warrants drawn by the Comptroller on the State Treasury. Notwithstanding the foregoing, no member shall receive additional legislative compensation or per diem when the Legislature is in session or if a member is being paid any other payments on the same dates for attendance on other state business.

(h) The Department of Examiners of Public Accounts shall gather and report to the Permanent Oversight Commission the information necessary to evaluate 911 emergency communications funding across the State of Alabama. Each communications district established pursuant to Section 11-98-2 and the Commercial Mobile Radio Service Emergency Telephone Services Board and the statewide 911 Board, unless exempted by the Department of Examiners of Public Accounts for good cause, shall provide at least the information specified following to the Department of Examiners of Public Accounts no later than 180 days after May 8, 2012.

(1) For wireline 911 and for fiscal years ending 2009, 2010, and 2011, the information provided by communications districts shall include:

a. 911 rates in effect for residence telephone service and for business telephone service in the communications district for each fiscal year.

b. 911 revenues collected by the communications district by month for each fiscal year.

c. The amount of any funding provided to the communications district by a county or municipality in which the communications district resides by month for each fiscal year.

d. The amount of revenues received by the communications district from the Commercial Mobile Radio Service Emergency Telephone Services Board by month for each fiscal year.

- e. The amount of any direct grants from federal or state government and any state matches for federal, state, local, or private grants for each fiscal year.
  - f. Gifts or other amounts not otherwise reported in this section.
  - g. Amounts held in any savings or investment accounts or reserve or escrow accounts by fiscal year.
  - h. Identification and specification in detail how the 911 funds were spent in each fiscal year. The Department of Examiners of Public Accounts shall identify any areas of noncompliance with this chapter.
  - i. Monthly charges paid to each telecommunications service provider for both data base and network charges.
- (2) Each communications district that fails to provide the information required by this section to the Department of Examiners of Public Accounts by the deadline specified in this subsection, unless exempted by the Department of Examiners of Public Accounts for good cause, shall not be eligible to receive distributions from the Commercial Mobile Radio Service Emergency Telephone Services Board after the deadline.
- (3) For wireless 911 and for fiscal years ending 2009, 2010, and 2011, the information provided by the Commercial Mobile Radio Service Emergency Telephone Services Board shall include:
- a. 911 revenues received by month for each fiscal year segregated between postpaid wireless service and prepaid wireless service.
  - b. 911 revenues disbursed to each communications district by month by fiscal year.
  - c. Amounts of any direct grants from federal or state government and any state matches for federal, state, local, or private grants for each fiscal year.
  - d. Gifts or other amounts not otherwise reported in this section.
  - e. Amounts held in any savings or investment accounts or reserve or escrow accounts by fiscal year.
  - f. The amount of funds retained by the board for operation of the board and identify how the funds retained were spent in each fiscal year.
  - g. The amount of funds that were escrowed for the purpose of reimbursing wireless carriers for cost recovery or implementation for Phase I and Phase II 911 implementation costs and the amounts paid to the wireless carriers for cost recovery in each fiscal year segregated by Phase I and Phase II.
  - (i) The Commercial Mobile Radio Service Emergency Telephone Services Board and the statewide 911 Board shall track monthly wireless 911 prepaid revenue following implementation of the prepaid 911 point-of-sale mechanism specified in Section 11-98-5.3 and shall file a monthly report with the Permanent Oversight Commission detailing and comparing prepaid 911 revenues received in the 2012 fiscal year to the prepaid revenues received in the 2011 fiscal year. The first monthly report shall be filed with the commission no later than 60 days following implementation of the point-of-sale system and on a monthly basis thereafter.
  - (j) The Department of Examiners of Public Accounts shall promulgate rules and a common financial reporting format to establish annual reporting requirements applicable to all communications districts and the Commercial Mobile Radio Service Emergency Telephone Services Board or statewide 911 Board that the committee shall need to monitor 911 surcharge rates, 911 revenues, and the use of 911 funds on an ongoing annual basis. The Department of Examiners of Public Accounts shall gather and report to the commission the information necessary to evaluate 911 emergency communications funding across the State of Alabama on an ongoing basis.

(k) The annual reports of the communications districts and the Commercial Mobile Radio Service Emergency Telephone Services Board and any reports developed by the commission shall be posted no later than 60 days following the end of the fiscal year on a website to be determined by the Department of Examiners of Public Accounts.

(l) To assist in the development of the long-term plan for 911 in the state, the statewide 911 Board and Permanent Oversight Commission may solicit input from members of the 911 districts in the state, from members of the communications industry operating in the state, and, if deemed necessary, from 911 experts outside the state.

*(Act 2012-293, §2.)*

**Section 11-98-14 Sunset provision.**

The 911 Board shall be subject to the Alabama Sunset Law, Chapter 20, Title 41, as an enumerated agency as provided in Section 41-20-3, and shall have a termination date of October 1, 2016, and every four years thereafter, unless continued pursuant to the Alabama Sunset Law.

*(Act 2012-293, §2.)*

**Section 11-98-15 Reimbursement for unused funds retained for 911 Board administrative expenses; annual costs.**

The 911 Board shall reimburse the Department of Examiners of Public Accounts to the extent of any unused funds retained for administrative expenses under this section or Section 11-98-5.2(b) for the amount of actual costs incurred in carrying out the requirements placed upon the Department of Examiners of Public Accounts by this chapter, as evidenced by invoice presented to the board. By January 1, 2013, the Department of Examiners of Public Accounts shall provide the 911 Board with a projection of its annual costs in meeting the requirements of this chapter, which shall be treated and retained by the 911 Board as an administrative fee in addition to the administrative allowance specified in Section 11-98-5.2(b). The invoiced amount shall be due and payable within 30 days of presentment.

*(Act 2012-293, §2.)*

**Section 11-98-16 Certification requirements for public safety telecommunicators.**

On or after July 1, 2022, an individual performing the duties of a public safety telecommunicator, as defined in Section 11-98-1, and employed by a primary PSAP receiving 911 calls, shall be certified under rules established by the Statewide 911 Board. Individuals hired on or after July 1, 2022, shall have 180 days to be enrolled in the certification process, but shall be allowed to perform the duties of a public safety telecommunicator without certification until the expiration of the 180-day period. Any individual performing the duties of public safety telecommunicator for a primary PSAP receiving 911 calls on or before June 30, 2022, shall not be required to complete the coursework to be certified under rules established by the board.

*(Act 2022-387, §2.)*



# ACT #2025 - 373

1 HB25

2 VHCEVPL-2

3 By Representative Oliver

4 RFD: Boards, Agencies and Commissions

5 First Read: 04-Feb-25

6 PFD: 19-Aug-24



## HB25 Enrolled



1 Enrolled, An Act,

2 Relating to emergency telephone services; to amend  
3 Section 11-98-4, Code of Alabama 1975, to further provide for  
4 local 911 districts by permitting two or more districts to  
5 enter contracts to jointly provide services; and to delete  
6 duplicative language and make nonsubstantive, technical  
7 revisions to update the existing code language to current  
8 style.

9 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

10 Section 1. Section 11-98-4, Code of Alabama 1975, is  
11 amended to read as follows:

12 "§11-98-4

13 (a) When any district is created, the creating  
14 authority may appoint a board of commissioners composed of  
15 seven members to govern its affairs, and shall fix the  
16 domicile of the board of commissioners at any point within the  
17 district. In the case of county districts, after the  
18 expiration of the terms of the members of the board of  
19 commissioners holding office on May 23, 2000, there may be at  
20 least one member of the board of commissioners from each  
21 county commission district if the number of the county  
22 commission does not exceed seven, unless a resolution dated  
23 before January 1, 2000, was passed by a county commission  
24 establishing an appointment process different from this  
25 section or as otherwise provided by the enactment of a local  
26 act after May 23, 2000. The members of the board of  
27 commissioners shall be qualified electors of the district, two  
28 of whom shall be appointed for terms of two years, three for



terms of three years, and two for terms of four years, dating from the date of the adoption of the resolution or ordinance creating the district. Thereafter, all appointments of the members shall be for terms of four years.

(b) The board of commissioners shall have ~~complete and~~ sole authority to appoint a ~~chairman~~chair and any other officers it may deem necessary from among the membership of the board of commissioners.

(c) A majority of the board of commissioners membership shall constitute a quorum and all official action of the board of commissioners shall require a quorum.

(d) The board of commissioners may employ ~~such~~ employees, experts, and consultants as it deems necessary to assist the board of commissioners in the discharge of its responsibilities to the extent that funds are made available.

(e) In lieu of appointing a board of commissioners, the governing body of the creating authority may serve as the board of commissioners of the district, in which case it shall assume all the powers and duties of the board of commissioners as provided in this chapter.

(f) In addition to other authority and powers necessary to establish, operate, maintain, and replace an emergency communication system, the board of commissioners ~~shall have~~ they may do any of the following authority:

(1) ~~To sue~~Sue and be sued, ~~to~~ prosecute, and defend civil actions in any court having jurisdiction of the subject matter and of the parties.

(2) ~~To acquire~~Acquire or dispose of, whether by





57 purchase, sale, gift, lease, devise, or otherwise, property of  
58 every description that the board may deem necessary,  
59 - consistent with this section, and to hold title thereto.

60 (3) ~~To construct~~Construct, enlarge, equip, improve,  
61 maintain, and operate all aspects of an emergency  
62 communication system consistent with ~~subsection (a) of~~ Section  
63 11-98-6(a).

64 (4) ~~To borrow~~Borrow money for any of its purposes.

65 (5) ~~To provide for such~~Provide liability and hazard  
66 insurance as the board of commissioners may deem advisable to  
67 include inclusion and continuation, or both, of district  
68 employees in state, county, municipal, or self-funded  
69 liability insurance programs.

70 (6) ~~To enter~~Enter into contracts or agreements with  
71 public or private safety agencies for dispatch services when  
72 ~~such~~the terms, conditions, and charges are mutually agreed  
73 upon, unless otherwise provided by local law.

74 (7) ~~To make~~Make grants to municipalities for  
75 dispatching equipment and services.

76 (g) The board of commissioners may elect to form a  
77 nonprofit, public corporation with all of the powers and  
78 authority vested in ~~such~~the political and legal entities. The  
79 certificate of incorporation shall recite, in part:

80 (1) That ~~this is a~~the nonprofit, public corporation ~~and~~  
81 is a political and legal subdivision of the State of Alabama  
82 as defined in this chapter.

83 (2) The location of its principal office.

84 (3) The name of the corporation.



(4) That the governing body is the board of commissioners.

(h) Any other provisions of this chapter notwithstanding, the board of commissioners shall present to the creating authority for approval the acquisition, disposition, or improvements to real property.

(i) In addition to the ~~provisions~~requirement of subdivision ~~(5) of subsection (f)~~ (5), each member of the board of commissioners and each director of an emergency communication district shall be bonded in an amount equal to one-half of one percent of the total funds received by the district in the prior fiscal year except the amount of the bond for any persons required to be bonded, shall not be less than ten thousand dollars (\$10,000) nor exceed fifty thousand dollars (\$50,000). The board of commissioners may require other employees to be bonded in an amount set by the board and made payable to the district. The bonds shall be paid for by the district, and a copy shall be on file at the offices of the district and at the office of the judge of probate of the county in which the district is incorporated. In the event the governing body of the creating authority serves as the board of commissioners of the district, each member of the board may combine the bond required ~~herein~~herein by this section with the bond required for service on the creating authority provided both the creating authority and the emergency communication district are adequately protected in the event of forfeiture and the portion of the bond payment required pursuant to this section is paid by the district.



(j) Two or more boards of commissioners of districts that exist on October 1, 2025, by adopting identical resolutions, may contract for the districts they govern to jointly exercise any power or service that each of the districts is authorized to exercise individually.

(1)a. It is sufficient that each of the contracting districts is lawfully authorized to exercise the power or service that is the subject of the contract regardless of the manner in which the power or service shall be exercised if at least one of the districts is authorized to exercise the power or service in the agreed upon manner.

b. The power or service that is the subject of the contract may be exercised by each contracting district or may be exercised by one or more districts on behalf of all of the contracting districts.

(2) Before adopting the resolution under this subsection, each district board of commissioners must give notice pursuant to Section 36-25A-3 of a hearing on the proposed contract at which the public may request information concerning, or present arguments for or against, the same.

(3)a. The contract must: (i) state the intent of each district to cooperate with the joint exercise of the power or service; (ii) describe the power or service that the districts will jointly exercise; and (iii) provide a termination date for the contract no later than three years from the date of the contract.

b. Notwithstanding a termination date for the contract, any district may terminate the contract by giving at least 180



141 days' notice to the other district or districts.

142 (4)a. The existence of a district as an individual  
143 political and legal subdivision of the state under this  
144 chapter is not modified or impaired when the district enters a  
145 contract provided under this subsection, neither are the  
146 lawful powers of the district in any way modified or impaired  
147 except to the extent necessary for the district to jointly  
148 exercise the power or service that is the subject of the  
149 contract.

150 b. Nothing in this subsection shall restrict the powers  
151 of a district nor modify or impair the legal rights and duties  
152 under a contract that is in existence on October 1, 2025  
153 between or among districts.

154 (5) 911 services may not be jointly provided pursuant  
155 to this subsection until the Statewide 911 Board certifies to  
156 the contracting districts that, pursuant to Section  
157 11-98-4.1(e)(8), joint operations are ready to occur without  
158 service interruption."

159 Section 2. This act shall become effective on October  
160 1, 2025.

HB25 Enrolled



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Speaker of the House of Representatives

President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in and was passed by the House 06-Feb-25.

John Treadwell  
Clerk

Senate

06-May-25

Passed

APPROVED

5.14.2025

TIME

10:30 AM

GOVERNOR

Alabama Secretary Of State

Act Num....: 2025-373  
Bill Num....: H-25

Recv'd 05/14/25 12:56pm KCW

ORIGINAL  
House Bill No. 25

SPONSOR Oliver DIST. NO. 81

CO-SPONSORS

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HOUSE ACTION

DATE: 7-4 2025  
RD 1 RFD DAE

REPORT OF STANDING COMMITTEE

This bill having been referred by the House to its standing committee on BA+E was acted upon by such committee in session, and returned therefrom to the House with the recommendation that it be Passed, w/amend(s) 0 w/sub 0.  
5th day of February 20 25  
Wittika Chair

DATE: 7-5 2025  
RF RD 2 CAL

DATE: 20  
RE-REFERRED ☐ RE-COMMITTED ☐

Committee

DATE: 20

RE-REFERRED ☐ RE-COMMITTED ☐

I hereby certify that the Resolution as required in Section C of Act No. 81-889 was adopted and is attached to the Bill, HB 25 NAYS

JOHN TREADWELL,  
Clerk

FURTHER HOUSE ACTION (OVER)

SENATE ACTION

DATE: 2-20 2025  
RD 1 RFD CTMG

This Bill was referred to the Standing Committee of the Senate on CTMG

and was acted upon by such Committee in session and is by order of the Committee returned therefrom with a favorable report w/amd(s) 0 w/sub 0 w/eng sub 0 by a vote of 8 yeas 0 nays 0 abstain 0  
5th day of February 20 25  
Wittika Chair

DATE: 2-20 2025  
RF CAV RD2 ☒ CAL ☐

I hereby certify that the Resolution as required in Section C of Act No. 81-889 was adopted and is attached to the Bill, HB 25 NAYS

PATRICK HARRIS,  
Secretary

DATE: 5-6-25 RD 3 at length  
PASSED ☒ PASSED AS AMENDED ☐

YEAS 52 NAYS 0  
And was ordered returned forthwith to the House  
PATRICK HARRIS,  
Secretary

DATE: 20  
INDEFINITELY POSTPONED YEARS NAYS

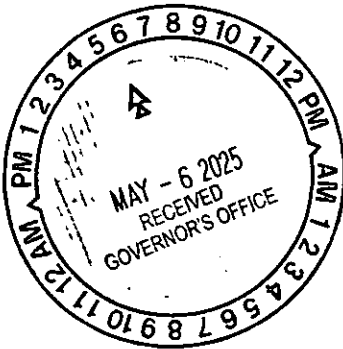
DATE: 20  
RECONSIDERED YEARS NAYS

FURTHER SENATE ACTION (OVER)



# ACT #2025 - 376

- 1 HB263
- 2 7DNPE2E-2
- 3 By Representatives Oliver, Wood (D)
- 4 RFD: Ways and Means General Fund
- 5 First Read: 12-Feb-25





## HB263 Enrolled

Enrolled, An Act,

Relating to the 911 Fund; to amend Section 11-98-5.2, Code of Alabama 1975, to further provide for the distribution of monies to local 911 districts; to allocate revenue to administer a state 911 voice and data system and designate uses for remaining funds; and to make nonsubstantive, technical revisions to update the existing code language to current style.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 11-98-5.2, Code of Alabama 1975, is amended to read as follows:

"§11-98-5.2

(a) Effective October 1, 2013, the 911 Fund shall be created as an insured interest-bearing account into which the 911 Board shall deposit all revenues derived from the service charge levied on voice communications service providers under this chapter and all prepaid wireless 911 charges received from the department. The revenues deposited into the 911 Fund shall not be monies or property of the state and shall not be subject to appropriation by the Legislature. The 911 Board shall administer the fund and shall credit the 911 Fund all revenues received. The fund and revenues generated by the fund may only be used as provided in this chapter.

(b) Effective October 1, 2013, there shall first be deducted, no more than ~~one time~~ once during each calendar month, from the total amount of the statewide 911 charges paid over to the 911 Board during ~~such~~ the month, a sum not to





## HB263 Enrolled

29 exceed one percent of the total amount, to be applied by the  
30 911 Board exclusively for payment of administrative expenses  
31 ~~theretofore~~ incurred by it and, at the board's discretion, the  
32 awarding of additional operational grants to districts outside  
33 of the other distribution criteria in this subsection upon a  
34 showing of hardship. The balance of the total amount of the  
35 statewide 911 charges paid over to the 911 Board during each  
36 calendar month shall be deposited into the 911 Fund and shall  
37 be apportioned and distributed in accordance with ~~the~~  
38 ~~succeeding provisions~~ of this subsection.

39 (1) There shall be distributed each month among all  
40 ~~then existing~~ districts, from the monies ~~moneys then on~~  
41 deposit in the 911 Fund, an aggregate amount equal to ~~the sum~~  
42 ~~of a. 80 percent of the portion of the statewide 911 charges~~  
43 ~~remitted to the 911 Board with respect to the month by CMRS~~  
44 ~~providers and for prepaid wireless 911 charges, plus b. 100~~  
45 ~~percent of all other statewide 911 charges remitted to the 911~~  
46 Board with respect to the month or an amount sufficient to  
47 satisfy the base distribution amount as defined in  
48 subdivisions (3) and (4), whichever is larger.

49 (2) There shall be paid each month to each ~~then~~  
50 ~~existing~~ district, out of the amount described in subdivision  
51 (1), one-twelfth of the sum of the base distribution amount  
52 defined, as applicable, in subdivisions (3) and (4), plus the  
53 per capita distribution amount defined in subdivision (5).

54 (3) The term "base distribution amount," as used in  
55 this section with respect to any district with a functioning  
56 911 system as of September 30, 2011, and except as otherwise



## HB263 Enrolled

provided in this subdivision and subdivision (4), means the highest dollar amount per ~~annum~~year of emergency telephone service charges, excluding any fees received from the CMRS Fund, if any, received by the district during the five prior consecutive fiscal years ending on September 30, 2011; provided, that, if the district first levied any such service charge, or if the district by vote of the commissioners of the district, during the fiscal year ending on September 30, 2011, or seven months thereafter, increased the rate of the charge effective on or before January 1, 2013, then the total dollar amount of the emergency telephone service charges with respect to the fiscal year ending September 30, 2011, shall be ~~deemed~~ ~~to be~~ the amount that would have been collected had the increased rate been in effect for the entire fiscal year ending September 30, 2011. Any vote of the commissioners authorizing an increase in fees under the preceding sentence may be contingent upon the enactment of Act 2012-293. No adjustment shall be made under the preceding sentence to take into account any increase in an emergency service charge adopted by a district after January 1, 2012, if such district shall have otherwise increased its emergency service charge since January 1, 2011. For any district established prior to September 30, 2011, but which initiated 911 service between September 30, 2011, and June 1, 2012, the base distribution amount shall be ~~deemed to be~~ the amount that would have been collected if the 911 charge imposed by the district on August 1, 2012, had been in effect for the entire fiscal year. For any county or municipal district that was funding an E-911



85 system on September 30, 2011, without a separate 911 fee, the  
86 base distribution amount shall be the product of: That amount  
87 determined by the board to be the county or municipality's  
88 total funding of its E-911 system for purposes of calculation  
89 of the initial statewide rate under ~~subsection (a)~~ of Section  
90 11-98-5(a), multiplied by a fraction, the numerator of which  
91 is the total wireline 911 fees paid to all districts as of  
92 September 30, 2011, and the denominator of which is the total  
93 wireline and wireless 911 fees determined by the board to have  
94 been paid to all districts and the CMRS Board for the same  
95 period. Within 90 days of the effective date of any adjustment  
96 in the statewide 911 charge to increase the baseline 911  
97 revenues under ~~subdivision (2) of subsection (c)~~ of Section  
98 11-98-5(c) (2), the base distribution amount shall be increased  
99 by an amount equal to the product of: a. the total amount  
100 distributed to the district in the immediately preceding  
101 fiscal year, multiplied by b. the rate of growth, determined  
102 as a percentage, in the CPI-U utilized by the 911 Board for  
103 the prior five-year period pursuant to ~~subdivision (2) of~~  
104 ~~subsection (c) of~~ Section 11-98-5(c) (2).

105 (4)a. Any district that has, prior to March 1, 2011,  
106 entered into one or more contracts, including, without  
107 limitation, any lease, lease-purchase, or purchase agreement  
108 or contract, to acquire equipment utilized or to be utilized  
109 as part of a single, comprehensive, countywide radio system to  
110 be operated within the boundaries of the district, ~~may,~~ no  
111 later than December 31, 2012, may provide the 911 Board a copy  
112 of a pro forma financial statement setting forth revenue and



## HB263 Enrolled

expense projections demonstrating the ability of the district to pay all principal and interest maturing or coming due with respect to any contracts, and any bonds or other obligations issued or incurred by the district to evidence the borrowing of money by the district in connection with the planning, acquisition, construction, and equipment of the countywide radio system, and other system costs. Such revenue projections shall set forth the district's annualized revenues that would be included in the base distribution amount as calculated in subdivision (3), for the fiscal year of the district ending on September 30, 2011, or any fiscal year thereafter during which the contracts, bonds, or other obligations are expected to be outstanding and unpaid, and the amount received by the district during the fiscal year ending September 30, 2011, from the CMRS Fund. The pro forma statement shall be accompanied by such supporting information as may be reasonably requested by the 911 Board, whose review shall be limited to the accuracy and reasonableness of the revenue and expense projections contained therein solely for the purposes of this subsection and which shall not extend to the approval or disapproval of any projects authorized by the district under existing law.

b. For a district meeting the requirements of this subdivision, the base distribution amount for the district, during any fiscal year or years in which the contracts, bonds, or other obligations outstanding and unpaid, shall be increased by the difference, if any, between the revenue projections shown in the pro forma financial statement and the



base distribution amount as calculated under subdivision (3), and the district's per capita distribution amount, as defined in subdivision (5), shall be reduced by an amount equal to the difference, with the amount of the reduction added to the amount available for payment to other districts under subdivision (5).

(5) The term "per capita distribution amount," as used in this section with respect to any district, means the district's pro rata share, computed according to the distribution formula, of the amount described in subdivision (1) that remains after payment in full of the aggregate base distribution amounts required to be paid to all districts.

(6) Notwithstanding the preceding provisions of this subsection, there shall never be paid to any district, during any fiscal year, from the ~~moneys~~ monies deposited into the 911 Fund, an amount less than the sum of the total dollar amount of the initial base distribution amount received by the district as calculated under subdivision (3) plus, without duplication, the amount received by the district from the CMRS Fund during the fiscal year ending September 30, 2011. For any county or municipal district that was funding an E-911 system on September 30, 2011, without a separate 911 fee, there shall never be paid from the ~~moneys~~ monies deposited into the 911 Fund, during any fiscal year, an amount less than the sum of that amount determined by the board to be the county or municipality's funding of its E-911 system for purposes of calculation of the initial statewide rate under this section.

(7) a. Except as otherwise provided in subdivision (6),



## HB263 Enrolled

there shall be set aside and deposited each month, into a separate account, which may, but need not, form a part of the 911 Fund, an amount equal to ~~20 percent of the portion of the~~ remaining balance of the statewide 911 charges remitted to the 911 Board with respect to the month-by CMRS providers. All ~~moneys monies~~ in the separate account shall be used ~~exclusively for~~ the costs related to administering a statewide 911 voice and data system in compliance with the technological requirements established by the FCC order and as provided in Section 11-98-4.1(e)(8); and for the payment of actual and direct costs incurred by CMRS providers in complying with wireless E-911 service requirements established by the FCC Order and complying with any rules or regulations adopted at any time by the FCC pursuant to the FCC Order; and the costs may include, without limitation, costs and expenses incurred in connection with designing, upgrading, purchasing, leasing, programming, installing, testing, or maintaining all necessary data, hardware, and software required in order to provide Phase II Enhanced 911, and the incremental costs of operating Phase II Enhanced 911.

b. After the requirements of paragraph a. are fulfilled, the remaining funds shall be allocated for one or more of the following purposes: (i) to fund the costs of all required training and certification of public safety telecommunicators; (ii) to fund the costs of advisory services provided to the districts; (iii) to fund a grant program for districts demonstrating financial hardship; or (iv) equally among the districts as determined by majority vote of the



board. The board, by rule, shall establish the maximum balance to be carried over in the separate account at the conclusion of each fiscal year.

(c) Each CMRS provider wishing to participate in the payments provided in subdivision (b)(7) ~~of subsection (b)~~ for expenses related to providing Phase II Enhanced 911 shall certify to the 911 Board that it does not then collect a cost-recovery or other similar separate charge from its customers. CMRS providers failing to provide the certification by October 1 are ineligible to receive any payments until such certificate is provided to the 911 Board. Any CMRS provider electing to collect cost-recovery or other similar separate charges at any time following its October 1 certification shall immediately notify the 911 Board and is ineligible to participate in the payments established in this subsection until ceasing the collection from its customers and providing the notice required herein. This requirement shall only apply to payments for expenses related to providing Phase II Enhanced 911.

(d) Any CMRS provider wishing to receive reimbursement of costs under the guidelines established by subsection (c) shall also comply with Section 11-98-7.

(e) In the event that there are wireless emergency telephone services that cannot be efficiently performed at the district level or there are expenses that cannot be properly allocated at the district level, the 911 Board may determine the smallest practical unit basis for joint implementation and provide reimbursements in accordance with this section."



## HB263 Enrolled

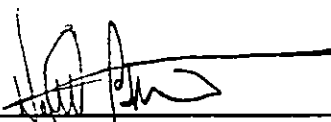
225           Section 2. This act shall become effective on October  
226    1, 2025.






HB263 Enrolled

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\_\_\_\_\_  
Speaker of the House of Representatives

  
\_\_\_\_\_  
President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in and  
was passed by the House 08-Apr-25.

John Treadwell  
Clerk

Senate

06-May-25

Passed

APPROVED

5-14-2025

TIME

10:50 AM

  
\_\_\_\_\_  
GOVERNOR

Alabama Secretary Of State

Act Num....: 2025-376  
Bill Num....: H-263

Recv'd 05/14/25 12:57pmKCW

ORIGINAL  
House Bill No. 81-889  
Project No. 7DNF62E-1  
Profile Date \_\_\_\_\_

SPONSOR	DIST. NO.
1 <u>Edward D. B</u>	81
CO-SPONSORS	
2 <u>Ward CD 238</u>	28
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HOUSE ACTION

DATE: 4-17-81 20 25

RD 1 RFD W/AMCST

REPORT OF STANDING COMMITTEE

This bill having been referred by the House to its standing committee on W/AMCST was acted upon by such committee in session, and returned therefrom to the House with the recommendation that it be Passed, w/amend(s) w/sub this 5th day of March, 20 25.

Raymond D. B 21, Chair

DATE: 3-5 20 25

RD 2 CAL

DATE: \_\_\_\_\_ 20 \_\_\_\_\_

RE-REFERRED ☐ RE-COMMITTED ☐

Committee \_\_\_\_\_

DATE: \_\_\_\_\_ 20 \_\_\_\_\_

RE-REFERRED ☐ RE-COMMITTED ☐

Committee \_\_\_\_\_

I hereby certify that the Resolution as required in Section C of Act No. 81-889 was adopted and is attached to the Bill,

HB 81-889

YEAS 102 NAYS 0

JOHN TREADWELL,  
Clerk

FURTHER HOUSE ACTION (OVER)

SENATE ACTION FBSD

DATE: 4-9 20 25

RD 1 RFD FBSD

This Bill was referred to the Standing Committee of the Senate on \_\_\_\_\_

and was acted upon by such Committee in session and is by order of the Committee returned therefrom with a favorable report w/amd(s) 0 w/sub 0 w/eng sub 0 by a vote of \_\_\_\_\_

YEAS 13 NAYS 0 abstain 0

this 16th day of April, 20 25

\_\_\_\_\_ Chair

DATE: 4-17 20 25

RD 2 ☒ CAL ☐

I hereby certify that the Resolution as required in Section C of Act No. 81-889 was adopted and is attached to the Bill,

HB \_\_\_\_\_

YEAS \_\_\_\_\_ NAYS \_\_\_\_\_

PATRICK HARRIS,  
Secretary

DATE: 5-6-81 RD 3 at length

PASSED ☒ PASSED AS AMENDED ☐

YEAS 24 NAYS 0

And was ordered returned forthwith to the House

PATRICK HARRIS,  
Secretary

DATE: \_\_\_\_\_ 20 \_\_\_\_\_

INDEFINITELY POSTPONED YEAS \_\_\_\_\_ NAYS \_\_\_\_\_

DATE: \_\_\_\_\_ 20 \_\_\_\_\_

RECONSIDERED YEAS \_\_\_\_\_ NAYS \_\_\_\_\_

FURTHER SENATE ACTION (OVER)

## Appendix III: Board Members



June 3, 2025

Ms. Charnelle Martin  
Examiner of Public Accounts  
401 Adams Avenue, Suite 280  
P.O. Box 302251  
Montgomery, AL 36130

Dear Ms. Martin,

Included below is a corrected version of the current board members including the name, corrected expiration of term, and city of each current board member as per your request.

Seat	Name	City	Expiration on Appt Letter	Corrected Expiration of Term
1	Kristi Starnes	Mobile	4/18/2029	7/18/2028
2	Jeremy Williams	Kinston	3/30/2027	3/31/2026
3	Shawn Rogers	Centre	4/18/2029	7/18/2028
4	Tim Webb	Double Springs	3/30/2027	3/31/2026
5	Brandon Wallace	Elkmont	7/18/2028	No correction needed.
6	Brandon Broadhead	Birmingham	3/30/2027	3/31/2026
7	Richard Schreiber	Northport	4/18/2029	7/18/2028
8	Vacant			
9	John Nettles	Selma	7/18/2019	No correction needed.
10	Marlon Williamson	Fort Payne	6/1/2029	7/18/2027
11	Evelyn Causey	Greenville	7/18/2019	No correction needed.
12	Vacant			
13	Vacant			
	Leah Missildine	Cecil	Current	

Due to the retirements of board members, we currently have three vacancies.

Sincerely,

A handwritten signature in black ink that reads 'Leah Missildine'.

Leah Missildine  
Executive Director

P.O. BOX 1790  
MONTGOMERY, AL 36102-1790

OFFICE 334-440-7911  
WEB AL911BOARD.COM

## Appendix IV: Board's Response

July 25, 2025

Dixie B. Thomas  
Director of Operational Audits  
401 Adams Avenue, Suite 280  
Montgomery, AL 36104-4338

Subject: 2025 Response to Sunset Significant Issues/Findings

Dear Ms. Thomas,

Please find enclosed responses to the significant issues/prior significant issue that will appear in the Department of Examiners of Public Accounts most recent report to the Sunset Committee on the operations of the Statewide 911 Board.

Please know that we take our service to the citizens and visitors of Alabama very seriously and seek to be the best stewards of their lives, property, and resources not only in a time of emergency, but also in the services we provide them daily.

If you have any questions or comments, please do not hesitate to reach out to me.

Respectfully,



Leah Missildine  
Executive Director  
Alabama 9-1-1 Board

## **SIGNIFICANT ISSUES**

**Significant Issue 2025-001:** The Board has adopted a rule to withhold the monthly distributions which is not authorized by the Board's statutes. *Administrative Rule* 585-X-5-.02(8) provides in part that when a district is noncompliant with continuing education requirements of the public service communicator certification program, the Board shall impose penalties on the districts by withholding monthly distributions and keeping it in escrow until the districts become compliant which is in conflict with the Board statutes.

The *Code of Alabama 1975*, Section 11-98-5.2(b)(1) states "There *shall be distributed* each month among all then existing districts, from the moneys then on deposit in the 911 Fund, an aggregate amount equal to the sum of

- a. 80 percent of the portion of the statewide 911 charges remitted to the 911 Board with respect to the month by CMRS providers and for prepaid wireless 911 charges, plus
- b. 100 percent of all other statewide 911 charges remitted to the 911 Board with respect to the month.

(2) There *shall be paid each month* to each then existing district, out of the amount described in subdivision (1), one-twelfth of the sum of the base distribution amount defined, as applicable, in subdivisions (3) and (4), plus the per capita distribution amount defined in subdivision (5)."

**Response:** During the exit conference held on July 9, 2025, the Board's General Counsel requested clarification and/or elaboration on what the Board's authority to "establish rules for enforcement" for noncompliance is. He cited §11-98-4.1 (e) (9), which reads, "To establish a certification program to train and certify public safety telecommunicators employed by a primary PSAP receiving 911 calls, including establishing minimum core competency topics and minimum number of training hours, deciding whether a written examination is required, and establishing any necessary certification requirements, to the extent funds are available to cover all costs for the training established by the board. The board may establish rules for enforcement of those PSAPs that fail to participate in the certification program. Notwithstanding the foregoing, the training and certification requirements of this section shall not apply to any public safety telecommunicator employed by the state or an agency or department thereof." Board staff requested guidance from DEPA representatives present on what penalties could be imposed for non-compliance, asking if the Board had the authority to fine for noncompliance or if noncompliance made ECDs ineligible for participation in other financially beneficial programs provided by the Board that are not associated with the monthly distribution outlined in the *Code of Alabama 1975*, Section 11-98-5.2(b)(1). Staff was advised to pose questions in this response; therefore, our initial question is *what is the Board's "rules for enforcement" if it's not what the Board considers it to be per its Rule (i.e. withholding funds)?* We look forward to the response and further discussion on how best to remedy this significant issue.

**Significant Issue 2025-002:** Two Board members continue to serve under terms that expired on July 8, 2019.

The *Code of Alabama 1975*, Section 11-98-4.1(c) states "For purposes of the initial board appointments, (1) five members of the board shall be appointed for a four-year term; (2) four members for a three-year term; (3) the three members of the CMRS Board who are appointed pursuant to subdivision (1) of subsection (b) to terms ending on March 31, 2014; and (4) the

remaining member for a two-year term. Thereafter, board members shall serve staggered terms of four years. In the event of a vacancy, the vacancy shall be filled for the balance of the unexpired term in the same manner as the original appointment. *Any vacancy occurring on the 911 Board, whether for an expired or unexpired term, shall be filled by appointment as soon as practicable after the vacancy occurs, whether for an expired or unexpired term.*”

**Response:** The Board notifies all nominating and appointing authorities of vacancies in a timely manner and proper notice is given on the Boards and Commissions website. We will continue to work with the Governor’s Office, the appointing authority for all of our board members, to encourage expedient appointments.

## **SIGNIFICANT ISSUES FROM QUESTIONNAIRES**

**Significant Issue 2025-003:** Six Board members participated in our survey. Five of the six (83%) Board members think the Board’s law needs updating pertaining to how the Board’s funds are being distributed and how the Board can utilize funding to keep offering services to the districts. Act 2025-376, passed during the 2025 Legislative Session, updated the Board’s statutes regarding how funds are disbursed to the local 911 districts.

**Response:** Responses to questionnaires were solicited in December 2024, prior to the 2025 Regular Legislative Session. As stated in Significant Issue 2025-003 above, the Board’s enabling statute was amended to clarify how the Board can utilize funding to keep offering services to its Districts.

**Significant Issue 2025-004:** Thirty-five Emergency Communication Districts (“ECDs”) participated in our survey and the following items were noted:

- Sixteen of the thirty-five (46%) ECDs indicated insufficient personnel and staffing as the most significant issue they were facing.
- Nine of the thirty-five (26%) indicated technological changes and/or advances as the most significant issue facing the ECDs.

**Response:** While all personnel and staffing decisions are made at the local government level, the Alabama 911 Board provides training on recruitment and retention to ECDs, made a recruiting video for local government use, advertises local agency job openings at their request, and provides access to a database of certified PSTs that are not currently affiliated with another agency to hire from. Based on the most recent self-reported data by ECDs and PSAPs, 93% of the reported 1,644 total authorized positions in 911 agencies across AL are filled by 1,528 certified Public Safety Telecommunicators (see data below). This does not include newly hired/not-yet-certified PSTs that have 180 days from hire to be certified.

ECD	PSAP	Department(s)	Total Active PSTs	Total Positions Authorized	%-age of PSTs/Authorized Positions
Adamsville ECD	Adamsville 911	Adamsville Police Department	7	0	#DIV/0!
Coosa ECD	Goodwater 911	Goodwater Police Department	5	0	#DIV/0!

Madison ECD	Madison 911	Huntsville - Madison County 911, Madison City Police Department, Madison County Fire, Madison County Sheriff's Office, Huntsville Police Department	111	0	#DIV/0!
Midfield ECD	Midfield 911	Midfield Police Department	7	0	#DIV/0!
Sumter ECD	Sumter 911	Sumter County	4	0	#DIV/0!
Talladega ECD	Talladega 911	Talladega County 911	21	7	300%
Bessemer ECD	Bessemer 911	Bessemer Police Department	19	7	271%
Irondale ECD	Irondale 911	Irondale Police Department	8	3	267%
Lamar ECD	Lamar 911	Lamar County 911	7	5	140%
Marshall ECD	Albertville 911	Albertville Police Department	8	6	133%
Randolph ECD	Randolph 911	Randolph County	13	10	130%
Bibb ECD	Bibb 911	Bibb County E-911	9	7	129%
Bullock ECD	Bullock 911	Union Springs Police Department	10	8	125%
Perry ECD	Perry 911	Perry County	11	9	122%
Tuscaloosa ECD	Tuscaloosa 911	Northport Police Department, Tuscaloosa County 911, University Of Alabama Police Department, NorthStar EMS, Tuscaloosa Public Safety Communications	94	77	122%
Escambia ECD	Escambia 911	Escambia County Sheriff's Office	7	6	117%
Shelby ECD	Pelham 911	Pelham Police Department	14	12	117%
Lee ECD	Lee 911	Lee County Sheriff's Office	16	14	114%
MontgomeryCi ECD	MontgomeryCi 911	City Of Montgomery ECD	29	26	112%
Conecuh ECD	Conecuh 911	Conecuh County E911	10	9	111%
Crenshaw ECD	Crenshaw 911	Crenshaw County	10	9	111%
Henry ECD	Henry 911	Headland Police Department	13	12	108%
Barbour ECD	Barbour 911	Eufaula Police Department	14	13	108%
Fort Payne ECD	Fort Payne 911	Fort Payne E911	14	13	108%

Marshall ECD	Marshall 911	Marshall County E-911	21	20	105%
Morgan ECD	Morgan 911	Morgan County	40	39	103%
Shelby ECD	Shelby 911	Shelby County 911	53	52	102%
Cherokee ECD	Cherokee 911	Cherokee County Communications District	10	10	100%
Colbert ECD	Colbert 911	Colbert County	26	26	100%
Daleville ECD	Daleville 911	Daleville Police Department	6	6	100%
Enterprise ECD	Enterprise 911	Enterprise Police Department	13	13	100%
Escambia ECD	Atmore 911	Atmore Police Department	6	6	100%
Escambia ECD	Brewton 911	Brewton Police Department	5	5	100%
Escambia ECD	East Brewton 911	East Brewton Police Department	8	8	100%
Escambia ECD	Flomaton 911	Flomaton Police Department	5	5	100%
Escambia ECD	Poarch Creek 911	Poarch Creek Indian Tribal Police Department	8	8	100%
Fayette ECD	Fayette 911	Fayette County 911	8	8	100%
Geneva ECD	Geneva 911	Geneva County 911	9	9	100%
Houston ECD	Houston 911	Houston County SO	17	17	100%
Lee ECD	Opelika 911	Opelika Police Department	17	17	100%
Macon ECD	Notasulga 911	Notasulga Police Department	6	6	100%
Marengo ECD	Marengo 911	Marengo County ECD	9	9	100%
Monroe ECD	Monroe 911	Monroe County E911	7	7	100%
MontgomeryCo ECD	MontgomeryCo 911	Montgomery County	14	14	100%
Pike ECD	Pike 911	Pike County 911	14	14	100%
Pleasant Grove ECD	Pleasant Grove 911	Pleasant Grove Police Department	6	6	100%
Russell ECD	Phenix City 911	Phenix City Police Department	12	12	100%
Russell ECD	Russell 911	Russell County Sheriff's Office	11	11	100%
Tallapoosa ECD	Alexander City 911	Alexander City Police Department	10	10	100%
Tallapoosa ECD	Tallapoosa 911	Tallapoosa County Sheriffs Department	9	9	100%
Tarrant ECD	Tarrant 911	Tarrant 911	7	7	100%
Tuscaloosa ECD	TuscaloosaCo 911	Tuscaloosa County Sheriff's Office	18	18	100%
Winston ECD	Winston 911	Winston County E911	11	11	100%



St Clair ECD	St Clair 911	St Clair County Communications	30	31	97%
Etowah ECD	Etowah 911	Etowah County ECD	29	30	97%
Birmingham ECD	Birmingham 911	Birmingham Emergency Communications	65	68	96%
Dallas ECD	Dallas 911	Dallas County E911	18	19	95%
Limestone ECD	Limestone 911	Athens/Limestone County 911	18	19	95%
Blount ECD	Blount 911	Blount 911	15	16	94%
Chilton ECD	Chilton 911	Chilton County E911	14	15	93%
Baldwin ECD	Baldwin 911	Baldwin County 911	41	44	93%
Dale ECD	Dale 911	Ozark Dale County E911	12	13	92%
Butler ECD	Butler 911	Butler Co. E911	11	12	92%
Cleburne ECD	Cleburne 911	Cleburne County E911	11	12	92%
Lawrence ECD	Lawrence 911	Lawrence County	11	12	92%
Wilcox ECD	Wilcox 911	Wilcox County E911	9	10	90%
Gardendale ECD	Gardendale 911	Gardendale Police Department	8	9	89%
Lowndes ECD	Lowndes 911	Lowndes County	8	9	89%
Covington ECD	Covington 911	Covington County ECD	15	17	88%
Cullman ECD	CullmanCo 911	Cullman County So	15	17	88%
Clarke ECD	Thomasville 911	Thomasville Police Department	7	8	88%
Elmore ECD	Elmore 911	Elmore County Sheriff	21	24	88%
Jefferson ECD	Jefferson 911	Jefferson County 911 ECD	77	88	88%
DeKalb ECD	DeKalb 911	Dekalb County	13	15	87%
Washington ECD	Washington 911	Washington County E911	6	7	86%
Autauga ECD	Autauga 911	Autauga County 911	17	20	85%
Cullman ECD	CullmanCi 911	City Of Cullman Communications Center	17	20	85%
Hueytown ECD	Hueytown 911	Hueytown Police Department	17	20	85%
Clarke ECD	Clarke 911	Clarke County 911	11	13	85%
Elmore ECD	Millbrook 911	Millbrook Police Department	10	12	83%
Hale ECD	Hale 911	Hale County	10	12	83%
Macon ECD	Shorter 911	Shorter Communications	5	6	83%
Chambers ECD	Chambers 911	Chambers 911	14	18	78%
Choctaw ECD	Choctaw 911	Choctaw	7	9	78%

Macon ECD	Macon 911	Macon County Sheriff	7	9	78%
Calhoun ECD	Calhoun 911	Calhoun County	24	31	77%
Auburn ECD	Auburn 911	Auburn Police Department	20	26	77%
Hoover ECD	Hoover 911	Hoover Emergency Communications	23	30	77%
Clarke ECD	JacksonCi 911	Jackson Police Department	6	8	75%
Elmore ECD	Tallassee 911	Tallassee Police Department	6	8	75%
Lauderdale ECD	Lauderdale 911	Florence-Lauderdale 911	20	27	74%
Jackson ECD	JacksonCo 911	Jackson County E911	11	15	73%
Walker ECD	Walker 911	Walker County E 911	13	18	72%
Coffee ECD	Coffee 911	Coffee County 911	10	14	71%
Clay ECD	Clay 911	Clay County E911	7	10	70%
Franklin ECD	Franklin 911	Franklin County 911	7	10	70%
Greene ECD	Greene 911	Greene County 911	7	10	70%
Pickens ECD	Pickens 911	Pickens County Sheriff's Office	9	13	69%
Coosa ECD	Coosa 911	Coosa County Sheriff's Office	8	12	67%
Marion ECD	Marion 911	Marion County 911	11	17	65%
Houston ECD	Dothan 911	Dothan Police Department	28	49	57%
Etowah ECD	Gadsden 911	Gadsden Police Department	11	21	52%
Mobile ECD	Mobile 911	Mobile County ECD	21	46	46%
Macon ECD	Tuskegee 911	Tuskegee Police Department	4	9	44%
			<b>Total Active PSTs</b>	<b>Total Positions Authorized</b>	<b>%-age of PSTs/Authorized Positions</b>
			<b>1,528</b>	<b>1,644</b>	<b>93%</b>

The Alabama 911 Board pays for and oversees the implementation of the latest technological advances to every ECD for equitable access to the same toolsets as they serve Alabama's residents and visitors that access 911. Alabama's Next Generation Emergency Network is nationally recognized as a leader in the 911 industry.

#### **STATUS OF PRIOR FINDINGS/SIGNIFICANT ISSUES**

All prior findings/significant issues have been resolved, except for the following:

**Prior Significant Issue 2023-004:** The Board amended its *Administrative Rules* in March 2020, specifically Rule 585-X-4-.09, to stipulate that the Board's Cost Recovery Fund shall at all times maintain a minimum balance equal to 180 days operational and administrative

**costs of the Board.** This practice has shorted the other local entities of additional distributions. The Board lacks the statutory authority to promulgate administrative rules that allow the Board to amass reserves or that would override statutorily required Board distributions. While the Board did make additional distributions of Cost Recovery funds, in accordance with the *Code of Alabama 1975*, Section 11-98-5(f), of \$2,000,000 in FY2019, \$5,000,000.00 in FY2020, \$2,289,706.31 in FY2021, and \$5,164,908.63 in FY2022, the reconciled cash balance in the Board's Cost Recovery Fund bank account as of September 30, 2022, was still \$24,461,183.14.

**Current Status:** Partially Resolved. The Board amended *Administrative Rule* 585-X-4-.09, effective January 11, 2025, to strike the language allowing the Board to hold a balance equal to 180 days operational and administrative costs of the Board. While the Board made this change and does make additional distributions of Cost Recovery (Reserves) funds, in accordance with the *Code of Alabama 1975*, Section 11-98-5(f), the Board still has a considerable amount of funds available to distribute to the Emergency Communication Districts. As of May 2025, the reconciled cash balance in the Board's Cost Recovery Fund bank account was \$15,545,863.26.

**Response:** Staff are waiting for Act 2025-376 to take effect on October 1, 2025, so that we can recommend an award of Grant Cycle 10 requests from ECDs to the Board that had to be suspended last year due to findings revealed during the Sunset Review and Legal Compliance examinations. At the recommendation of DEPA and the Sunset Review Committee, the 911 stakeholder groups in Alabama understood that the law needed to be changed, sought that clarification, and legislation was passed. The cash balance reported in the Board's "cost recovery" fund is approximately equivalent to one month's worth of the Board's financial obligations.

Additionally, in the past 12 months, there have been two months that remittances to the Board fell millions of dollars short of what the Board owes ECDs and its vendors. Following the effective date of Act 2025-376, reserves are necessary to make up the difference when those shortfalls occur again.

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**Prior Significant Issue 2023-005:** The Board has accrued and continues to amass large balances in their bank accounts instead of making requisite distributions or reevaluating the fees being charged to consumers. On September 30, 2022, the Board had combined total cash balances of \$41,561,755.87 in its various bank accounts. The *Code of Alabama 1975*, Section 11-98-5(c)(1) requires the Board to increase or decrease the rate of the statewide 911 charge by an amount reasonably calculated to produce the baseline 911 revenues. Reconciled cash balances for the Sunset Review period are shown below:

Reconciled Cash Balances as of September 30th				
Bank Account	2022	2021	2020	2019
Revenue	\$14,228,016.14	\$11,832,669.75	\$10,671,973.73	\$10,084,899.50
Operating	1,373,762.38	1,613,127.02	1,382,424.14	1,173,148.28
DEPA	1,184,662.75	683,678.49	120,800.37	10,741.87
Reserves	24,461,183.14	24,790,436.56	21,926,747.36	19,820,157.26
Grant	307,170.48	326,688.36	453,131.85	493,586.69
Federal Grant	239.39	0.93	1,698,694.69	1,699,007.29
Employee Flex	6,721.59	3,735.90	2,773.76	3,241.65
	\$41,561,755.87	\$39,250,337.01	\$36,256,545.90	\$33,284,782.54

\*\*For historical purposes, the combined cash balances for the Board's funds were 15,052,444.00 in FY2014, \$18,960,881.00 in FY2015, \$23,881,331.00 in FY2016, \$23,553,376.00 in FY2017, and \$33,844,498 in FY2018.

**Current Status:** Partially Resolved. As of September 2024, the reconciled cash balances of all the Board's bank accounts was \$32,643,854.03.

Reconciled Cash Balances as of September 30 <sup>th</sup>		
Bank Account	2023	2024
Revenue	\$14,116,881.67	\$13,422,681.53
Operating	1,399,239.80	1,333,550.61
DEPA	1,653,812.54	212,420.85
Reserves	28,576,182.03	17,494,621.91
ECD Grants	313,375.56	172,389.38
Federal Grant	243.81	248.71
Employee Flex	5,814.86	7,941.04
	\$46,065,550.27	\$32,643,854.03

**Response:** Similar to the previous response, the Board is waiting for Act 2025-376 to take effect on October 1, 2025, so that we can resume some of the programs that were halted approximately one year ago, most notably Grant Cycle 10 which contained 31 applicants requesting \$5M+ in funding to upgrade their 911 call-handling equipment and recorder systems. Each of those applicants were notified by staff to update the pricing quotes they originally submitted last summer, so that we can plan to make an award recommendation to be paid out as soon as ACT 2025-376 is effective in October. Meanwhile, the balance in the Board's Operating account is being used to continue several other reimbursement and training/certification programs until the

clarifying legislative language takes effect on October 1, 2025, and allows usage of the funds in the Reserves again.

Regarding the Board's Revenue account, this account operates as a pass-through account and the cash balance at the end of the month is the total of that month's carrier receipts that are due to be distributed according to the law. It should always show a balance at the end of the month, but those are not carried over in anyway.

Reconciled Cash Balances as of September 30 <sup>th</sup>			Midpoint of FY2025
Bank Account	2023	2024	As of March 31, 2025
Revenue	\$14,116,881.67	\$13,422,681.53	12,818,527
Operating	1,399,239.80	1,333,550.61	1,215,594
DEPA	1,653,812.54	212,420.85	14,494
Reserves	28,576,182.03	17,494,621.91	14,503,674
ECD Grants	313,375.56	172,389.38	88,168
Federal Grant	243.81	248.71	251
Employee Flex	5,814.86	7,941.04	15,864
	\$46,065,550.27	\$32,643,854.03	28,656,569

Also, the Board will be invoiced in October and November for the annual licensing fees for local ECDs for our NG911 GIS project as well as our statewide analytics project as related to the most recent FCC Report & Order, totaling over \$2M.

Finally, Act 2025-376 requires the Board to make ECDs whole to 1/12 of their annual baseline, even in months that enough revenues are received to do so. In the past twelve months, the Board experienced two instances where there were revenue shortfalls. One instance was that the payment portal that carriers remit to was under maintenance and did not accept payment from six different carriers, causing a \$3.2M shortfall for the month. The other instance was that the Department of Revenue due to human error failed to remit to the Board what they had collected on our behalf, causing a \$2.2M shortfall for the month. If/when this happens again, the balance in the Reserve account will be used to make up that shortfall for that month(s).

## **STATUS OF PRIOR SIGNIFICANT ISSUES FROM QUESTIONNAIRES**

**Prior Significant Issue 2015-001: In response to survey questions, several respondents indicated funding was a significant concern.** In response to the question, "What is the most significant issue facing 911 communications in Alabama?" Of the Emergency Communication Districts (ECDs) responding, 19 (53%) responded funding either of their districts or the ANGEN project.

In response to the question, "What is the most significant issue facing your ECD in Alabama?" Twelve of the 36 (33%) responding ECDs stated funding.

In response to the question, "Is your ECD adequately funded?" 13 of the 36 (36.11%) responding ECDs answered yes, 8 (22.22%) answered no, and 15 (41.67%) answered with comments. Eight

of those comments stated they were currently funded but not necessarily when equipment and technology upgrades are required.

**Current Status:** Unresolved. Eighteen of the thirty-five (51%) ECDs responding to our survey indicated the lack of funding as the most significant issue.

**Response:** Act 2025-373 takes effect October 1, 2025, and provides an avenue for collaboration and increased efficiency among 911 centers. ECDs will be required to take action for these cost-saving contracts to best meet the needs of their local communities. Other options to increase funding that may need to be considered include, but are not limited to:

- Increases in local government funding to 911 operations
- An increase in the Board's 911 surcharge to generate more revenues
- A decrease in the service offerings by the Board to all ECDs to minimize contractual costs borne by the Board, burdening the locals with bills that have been paid by the Board on their behalf
- A cohesive effort by local governments to amend the district baseline distribution by law and/or consolidate their services for cost-sharing or cost-reduction