**Approved by OMB**

**3060-1122**

**Expires: March 31, 2025**

**Estimated time per response: 10-55 hours**

Annual Collection of Information

Related to the Collection and Use of 911 and E911 Fees by States and Other Jurisdictions

Pursuant to OMB authorization 3060-1122, the FCC’s Public Safety and Homeland Security Bureau (the Bureau) seeks the following specific information in order to fulfill the Commission’s obligations under Section 6(f)(2) of the NET 911 Act, as amended by Section 902.[[1]](#footnote-2)

**Instructions for Filling Out the Questionnaire**

**Please read and follow these general instructions:**

* Please complete all sections of this form.
* Please enter only numeric responses where requested.
	+ Dollar or percentage signs, decimal points, and thousands separator commas are acceptable.
	+ Blank responses, “None”, “Unknown”, or “N/A” are also acceptable.
	+ To facilitate the Bureau’s calculations for the Annual Fee Report, please avoid stray characters such as: \*, ~, (), or [] in numeric responses.
* Use the associated Addendum fields to enter other information, such as footnotes, qualifiers, text, descriptions, and/or explanations.
* All responses should pertain to calendar year (January 1 – December 31), not fiscal year.
* Unless otherwise directed, please provide requested information directly on this form, rather than submit, refer to, and/or rely on supplemental materials.
* Please consolidate separate response forms (and/or responses to individual questions) completed by counties, municipalities, or other local jurisdictions into one response form for the entire state, using sums and averages as appropriate.
1. **Filing Information**

**A1. Name of State or Jurisdiction**

|  |
| --- |
| **State or Jurisdiction** |
| Texas |

**A2. Name, Title and Organization of Individual Filing Report**

|  |  |  |
| --- | --- | --- |
| **Name** | **Title** | **Organization** |
| Patrick Tyler | General Counsel | Commission on State Emergency Communications (CSEC) |

|  |
| --- |
| **Addendum Section A** |
| CSEC submits the Texas Response on behalf of the state's 77 9-1-1 Entities. 9-1-1 service is provided via the CSEC-administered state 9-1-1 Program implemented through 20 Regional Planning Commissions (RPCs), and by 57 independent Emergency Communication Districts (ECDs) as defined in Texas Health and Safety Code § 771.001(3)(A) and (B). There are two types of ECDs—statutory ECDs established under Texas Health and Safety Code Chapter 772 (772 ECDs); and public agency ECDs created and operated under local ordinances (municipal ECDs, including the Dallas County Sheriff's Office serving the unincorporated area of Dallas County). The CSEC state 9-1-1 Program provides 9-1-1 service in 190 of Texas’ 254 counties, covering at least 55% of the state’s geography and approximately 15% of the state’s population. Twenty-eight statutory 772 ECDs provide 9-1-1 service to approximately 74% of the population. Twenty-nine municipal ECDs provide 9-1-1 service to approximately 11% of the population primarily in the Dallas-Fort Worth and Corpus Christi areas.Texas’ response includes the information from all RPCs and 772 ECDs; and all municipal ECDs except the Dallas County Sheriff's Office (unincorporated part of Dallas County) and the towns/cities of Aransas Pass, Glen Heights, Lancaster, Mesquite, and Sunnyvale representing 1.11% of Texas's 30 million population. |

1. **Overview of State or Jurisdiction 911 System**

**B1. Please provide the total number of active primary and secondary Public Safety Answering Points (PSAPs) in your state or jurisdiction that received funding derived from the collection of 911/E911 fees during the annual period ending December 31, 2022. PSAPs that did not receive funding derived from the collection of 911/E911 fees need not be included in the response boxes, but may be reported in Addendum Section B1.**

|  |  |
| --- | --- |
| **PSAP Type[[2]](#footnote-3)** | **Number of PSAPs** |
| Primary | 489 |
| Secondary | 69 |
| **Total** | 558 |

|  |
| --- |
| **Addendum Section B1** |
| Back-up PSAPs not included in the above figures. |

**B2. Please provide the total number of active telecommunicators[[3]](#footnote-4) in your state or jurisdiction that were funded through the collection of 911 and E911 fees during the annual period ending December 31, 2022. Telecommunicators that were not funded through the collection of 911 and E911 fees need not be included in the response boxes, but may be reported in Addendum Section B2.**

|  |  |
| --- | --- |
| **Telecommunicator Type** | **Number of Active Telecommunicators Funded by 911/E911 Fees** |
| Full Time | 731.5 |
| Part Time | 25 |

|  |
| --- |
| **Addendum Section B2** |
| A total of 5,753 telecommunicators/dispatchers are funded with revenues and fees other than 911/E911 fees. That number includes 2006 telecommunicators/dispatchers for the CSEC administered state program, and 3,652 for the 772 ECDs. No 911/E911 fees are used to fund telecommunicators/dispatchers in the CSEC-program. The rare exception to the preceding is when CSEC authorizes a Regional Planning Commission to use a specified amount of appropriated 9-1-1 fees in its largest county to operate a PSAP per Texas Health and Safety Code § 771.0751, including funding of telecommunicators/dispatchers. For a consolidated PSAP serving more than one municipal ECD, typically there is a pre-approved percentage that each participating ECD contributes to the total budget of the PSAP, including for staff compensation, CAD, network, infrastructure, and phone system. |

**B3. For the annual period ending December 31, 2022, please provide an estimate of the total cost to provide 911/E911 service in your state or jurisdiction.**

|  |  |
| --- | --- |
| **Amount ($)** | 319,457,001 |

**B3a. If an amount cannot be provided, please explain why.**

|  |
| --- |
|       |

|  |
| --- |
| **Addendum Section B3** |
| Total costs equal the combination of: (1) municipal and 772 ECD-provided actual costs/estimates of costs; and (2) CSEC state 9-1-1 program wireline/wireless/prepaid wireless and equalization surcharge appropriations from the Texas Legislature for 9-1-1 service. Total costs include to varying degrees telecommunicator/dispatcher compensation (to the extent identified in response to B2.), CAD, public safety radios/networks/CPE-CHE equipment/maintenance/related infrastructure and software, telephone networks, training. Excluded from the amount above is $5,685,326 CSEC reimbursed the state and ECDs in CY 2022 from the $150 million in federal grant funds (ARPA - CSLFRF) appropriated to CSEC for the implementation of Next Generation 9-1-1 Service by the 87th Texas Legislature (2021). |

**B4. Please provide the total number of 911 voice calls that your state or jurisdiction received during the period January 1, 2022 to December 31, 2022.**

|  |  |
| --- | --- |
| **Type of Service** | **Total 911 Voice Calls** |
| Wireline | 1,574,941 |
| Wireless  | 17,091,894 |
| VoIP | 1,030,827 |
| Other (report 911 texts separately below in B.4a) | 351,985 |
| **Total** | 20,049,647 |

**B4a. Please provide the total number of 911 texts that your state or jurisdiction received during the period January 1, 2022 to December 31, 2022.**

|  |  |
| --- | --- |
| Texts to 911 | 102,265 |

|  |
| --- |
| **Addendum Section B4** |
|       |

1. **Description of Authority Enabling Establishment of 911/E911 Funding Mechanisms**

**C1. Has your State, or any political subdivision, Indian Tribe, village or regional corporation therein as defined by Section 6(f)(1) of the NET 911 Act, established a funding mechanism designated for or imposed for the purposes of 911 or E911 support or implementation (please include a citation to the legal authority for such mechanism)?** *Check one.*

* Yes ………………….. [x]
* No ………………..….. [ ]

**C1a. If YES, provide a citation to the legal authority for such a mechanism.**

|  |
| --- |
| Wireline 9-1-1 fees: Texas Health and Safety Code §§ 771.071, 772.114, 772.214, 772.314, 772.403, 772.516, 772.616; and via municipal ordinances. Municipal ordinances to establish Municipal ECDs’ wireline fees pursuant to Home-Rule City constitutional authority include Tex. Local Gov. Code, Chapter 102 (city budgets); Tex. Local Gov. Code, Chapter 111 (county budgets); and e.g., City of University Park Code of Ordinance 1.1102; City of Lancaster Ordinance, Chapter 1, Article 1.400, Sec. 1.402; City of Hutchins, Ordinance No. 692, Sec. 1., Art. 11.801. comment in Addendum Section C1). (Note: the Town of Sunnyvale was recognized by CSEC as a municipal ECD during CY 2020; thereafter, Sunnyvale's Town Council passed ordinances to establish its landline/VoIP 9-1-1 fee.)Statewide Wireless/Prepaid Wireless 9-1-1 Fees: Texas Health and Safety Code §§ 771.0711, 771.0712; Comptroller of Public Accounts Rule 3.1271, Prepaid Wireless 9-1-1 Emergency Service Fee (34 Tex. Admin. Code § 3.1271).Statewide Equalization Surcharge: Texas Health and Safety Code Ann. § 771.072. The equalization surcharge is a multi-purpose fee with 60% of revenues dedicated to providing statewide poison control services; 40% for 9-1-1 service; and approximately $1.8 million appropriated each year to the Department of State Health Services and to “fund county and regional emergency medical services, designated trauma facilities, and trauma care systems.” (Tex. Health & Safety Code Ann. §§ 771.106, 771.072(g) (quotation from § 773.122 regarding Emergency Medical Services), respectively. Surcharge may also be appropriated/allocated to fund the state emergency medical dispatch program (overseen by CSEC). |

**C1b. If YES to C1, during the annual period January 1, 2022 to December 31, 2022, did your state or jurisdiction amend, enlarge, or in any way alter the funding mechanism?** *Check one (leave blank if NO to C1).*

* Yes ………………….. [x]
* No ………………..….. [ ]
* Unknown ………..….. [ ]

**C1c. If YES to C1b., provide a description of amendments, enlargements, or alterations to the funding mechanism, if applicable.**

|  |
| --- |
| Although not occurring in CY 2022, the 87th Texas Legislature (2021) created the NG9-1-1 Fund (Tex. Health & Safety Code Ann. § 771.0713) and appropriated $150 million to the NG9-1-1 Fund out of the Texas award of funds from the Coronavirus State Fiscal Recovery Fund created by the federal American Rescue Plan Act of 2021. The NG9-1-1 Fund received federal CSFRF funding to provide government services. The 88th Texas Legislature (2023) extended the period for expending the NG9-1-1 Fund from December 31, 2024, to December 31, 2026.During CY 2022, an unspecified but small number of 772 and Municipal ECDs increased their landline/VoIP fee. The Texas Legislature sets by statute the statewide wireless and prepaid wireless fees, and CSEC sets the statewide equalization surcharge--none of which were changed during CY 2022. |

|  |
| --- |
| **Addendum Section C1** |
|       |

**C2. Which of the following best describes the type of authority arrangement for the collection of 911/E911 fees**? *Check one*. *If both State and local authorities collect fees, please check the “hybrid approach” box only.*

* The State collects the fees ………………………………….. [ ]
* A local authority collects the fees ……………………….… [ ]
* A hybrid approach where two or more governing bodies

 (*e.g.*, state and local authority) collect the fees …………….. [x]

|  |
| --- |
| **Addendum Section C2** |
|       |

**C3. Describe how the funds collected are made available to localities.**

|  |
| --- |
| 9-1-1 service in Texas is provided via the CSEC state 9-1-1 Program administered by CSEC and implemented through 20 RPCs, and by 28 statutory 772 ECDs and 29 public agency/municipal ECDs. (772 refers to the Texas Health and Safety Code Chapter authorizing the creation of statutory ECDs.)Funding of the CSEC state 9-1-1 Program is provided by the Texas Legislature via a biennial appropriation to CSEC from collected wireline, wireless, prepaid wireless, and equalization surcharge fees remitted to the Texas Comptroller of Public Accounts (Texas Comptroller) and deposited into dedicated accounts. Funds in the dedicated accounts may be appropriated to CSEC only for “planning, development, provision, or enhancement of the effectiveness of 9-1-1 service or for contracts with [RPCs] for 9-1-1 service.” More specifically, appropriated fees are allocated by CSEC to RPCs “for use in providing 9-1-1 services as provided by contracts executed under Section [Health and Safety Code] 771.078.” Per state law, wireless (and prepaid wireless) 9-1-1 fees “may be used only for services related to 9-1-1 service” (Tex. Health & Safety Code Ann. § 771.0711(c)); and with respect to the CSEC state 9-1-1 Program, may be appropriated “only for planning, development, provision, or enhancement of the effectiveness of 9-1-1 service or for contracts with [RPCs]” (Tex. Health & Safety Code Ann.§ 771.079(c)). ECD wireless and prepaid wireless fees are collected at the state level by the Texas Comptroller and distributed monthly by CSEC to each ECD based on the ratio of each ECD’s population to the population of the state. (Tex. Health & Safety Code Ann. § 771.0711(c)) NOTE: The statewide wireless service fee is $.50 a month on each wireless telecommunications connection. The statewide prepaid wireless service fee (Tex. Health & Safety Code Ann. § 771.0712) is "two percent of the purchase price of each prepaid wireless telecommunications service purchased by any method." In 2013 the Texas Legislature amended Health and Safety Code § 771.079 to authorize the Legislature to appropriate 9-1-1 fees to “provide assistance to volunteer fire departments” but only if 9-1-1 service is fully funded and all other sources of revenue dedicated to assisting volunteer fire departments are obligated for the fiscal period. To date, no9-1-1 fees have been appropriated to volunteer fire departments. The RPCs pay 9-1-1 service expenses directly to service providers and may make grant funds available through Interlocal Agreements to public agencies within each RPC’s region who operate PSAPs to provide 9-1-1 service. Equalization surcharge revenue is appropriated to CSEC by the Texas Legislature and allocated by CSEC to “fund approved plans of regional planning commissions and regional poison control centers [under § 777.009] and to carry out its duties under this chapter.” (Tex. Health & Safety Code Ann. § 771.072(f)) By statute, equalization surcharge revenues are dedicated 60% to poison control and 40% for 9-1-1 service. There are six regional poison control centers (RPCCs) that comprise the Texas Poison Control Network. CSEC administers the poison control program in a manner similar to that of the CSEC state 9-1-1 Program by providing grants to fund CSEC approved strategic plans of the RPCCs. Surcharge may also be appropriated to fund the state emergency medical dispatch program; and to “fund county and regional emergency medical services, designated trauma facilities, and trauma care systems.” Tex. Health & Safety Code Ann. §§ 771.106, 771.072(g) (quotation from § 773.122 regarding Emergency Medical Services), respectively.ECDs impose, collect, and use wireline/VoIP 9-1-1 fees at the regional/level level in accordance with Texas Health and Safety Code Chapter 772 or via their local public agency governing bodies and municipal ordinances. Wireline/VoIP 9 1-1 fees collected within the areas of 772 ECDs are accounted for in the ECDs’ annual budgets and may be expended only for 9-1-1 purposes as expressly provided by Texas Health and Safety Code Chapter Sections 772.114, 772.214, 772.314, 772.516, and 772.616; and Texas Att’y Gen Op. No. JC-410. The use of wireline 9 1 1 fees collected by Municipal ECDs is prescribed by applicable laws or ordinances for expending funds in accordance with city and county budgets. E.g., Tex. Local Gov. Code, Chapter 102 (city budgets); Tex. Local Gov. Code, Chapter 111 (county budgets). See also e.g., City of University Park Code of Ordinance 1.1102; City of Lancaster Ordinance, Chapter 1, Article 1.400, Sec. 1.402; City of Hutchins, Ordinance No. 692, Sec. 1., Art. 11.801. (See above for the description of CSEC's monthly distribution of wireless/prepaid wireless revenues to Texas's 56 ECDs; and limitations on the uses thereof.) |

1. **Description of State or Jurisdictional Authority That Determines How 911/E911 Fees are Spent**

**D1. Indicate which entities in your state have the authority to approve the expenditure of funds collected for 911 or E911 purposes.** *Check one*.

* The State has authority to approve the expenditure of funds ………………….….. [ ]
* One or more local authorities has authority to approve the expenditure of funds… [ ]
* A hybrid approach where two or more governing bodies (e.g., state or local authority) have authority to approve the expenditure of funds ………………………………. [x]

**D1a. Please briefly describe any limitations on the approval authority per jurisdiction (*e.g.*, limited to fees collected by the entity, limited to wireline or wireless service, etc.).**

|  |
| --- |
| 772 and Municipal ECDs have plenary authority over setting and utilizing wireline and VoIP 9-1-1 fees -- limited by CSEC's definition of local exchange access line or equivalent regarding which "lines" are subject to their local 9-1-1 fee. State law limits the use of wireless and prepaid wireless 9-1-1 fees and the equalization surcharge (Tex. Health & Safety Code Ann. §§ 771.0711, .0712, .072, respectively; e.g., "[m]oney collected under Subsection (b) [wireless fee] may be used only for services related to 9-1-1 services, including automatic number identification and automatic location information services, or asauthorized by Section 771.079(c) [money appropriated to CSEC only for planning, development, provision, or enhancement of the effectiveness of 9-1-1 service or for contracts with regional planning commissions for 9-1-1 service]." |

|  |
| --- |
| **Addendum Section D1** |
| For the CSEC State 9-1-1 Program, CSEC approves RPC biennial strategic plans detailing how 9-1-1 service will be provided and how allocated 9-1-1 fees and surcharge will be used throughout an RPC’s region. CSEC’s authority over the use of 9-1-1 fees and the equalization surcharge is limited by statute.The authority of CSEC and the state’s 77 Texas 9-1-1 Entities is limited to the 9-1-1 service jurisdictional boundaries of each entity. CSEC’s jurisdiction regarding the equalization surcharge is statewide. The use of wireline 9-1-1 fees is determined by either statute (Health and Safety Code Chapters 771 and 772) or municipal ordinance. Wireline/VoIP 9-1-1 fees are set by CSEC for the CSEC state 9-1-1 Program and capped by the Texas Legislature at $.50 per month per local exchange access line; and individually by each ECD. Per state law, all Texas 9-1-1 Entities (including ECDs) must use CSEC's definition of "local exchange access line as defined in CSEC Rule 255.4 (Title 1, Part 12, Tex. Admin. Code. § 255.4) in applying their wireline/VoIP rates. The statewide wireless/prepaid wireless fees and the equalization surcharge rate are established by the Texas Legislature in state law. Limitations on the use thereof by a Texas 9-1-1 Entity are also established in state law. (Tex. Health & Safety Code Ann. §§ 771.0711(c), 771.072(d)-(e), 771.075, 771.0751, 771.079(c).)  |

**D2. Has your state established a funding mechanism that mandates *how* collected funds can be used? *Check one*.**

* Yes ………………….. [x]
* No ………………..….. [ ]

**D2a.** **If you checked YES, provide a legal citation to the funding mechanism of any such criteria.**

|  |
| --- |
| The use of appropriated wireline/VoIP 9-1-1 fees for the CSEC state 9-1-1 program is determined by statute (Health & Safety Code Ann. §§ 771.071, 771.075, 771.0751, 771.079); for statutory 772 ECDs, use is determined by statute (Health & Safety Code Chapter 772); and, for municipal ECDs, by city/county ordinance. Wireline 9-1-1 fees are set by CSEC for the CSEC state 9-1-1 program (capped by the Texas Legislature at $0.50). Each 772 ECD annually sets its wireline/VoIP fee as part of annual budgeting (capped at a maximum percentage of the base rate charges for local exchange access lines and with a 100-line limitation at a single location served by a service provider). Municipal ECDs are set by each ECD for its service area. E.g., Tex. Local Gov. Code, Chapter 102 (city budgets); Tex. Local Gov. Code, Chapter 111 (county budgets). See also e.g., City of University Park Code of Ordinance 1.1102; City of Lancaster Ordinance, Chapter 1, Article 1.400, Sec. 1.402; City of Hutchins, Ordinance No. 692, Sec. 1., Art. 11.801. Per state law (Health and Safety Code § 771.063), wireline 9-1-1 fees may only be imposed on “local exchange access lines” or “equivalent local exchange access lines” as defined by CSEC rule. CSEC Rule 255.4, Definition of a Local Exchange Access Line or an Equivalent Local Exchange Access Line (1 Tex. Admin Code § 255.4), defines an access line to include interconnected VoIP. The statewide wireless/prepaid wireless fees and equalization surcharge are established in statute. Limitations on the uses thereof is determined by the Legislature (Tex. Health & Safety Code Ann. §§ 771.0711(c), 771.072(d)-(e), 771.075, 771.0751, 771.079(c).)During the 87th Texas Legislature in 2021, the Legislature enacted Tex. Health & Safety Code Ann. § 771.0713 to create the NG9-1-1 Fund, funded with federal funds. Use of the NG9-1-1 Fund is "only for the purpose of supporting the deployment and reliable operation of next generation 9-1-1 service, including the costs of equipment, operations, and administration. Money in the fund may be distributed to only the commission and emergency communication districts and must be used in a manner that complies with federal law." (During the 88th Texas Legislature in 2023, the expiration of section 771.0713 was extended from September 1, 2025, to December 31, 2028.) |

**D2b.** **If you checked NO, describe how your state or jurisdiction decides how collected funds can be used.**

|  |
| --- |
|       |

1. **Description of Uses of Collected 911/E911 Fees**

**E1. Provide a statement identifying with specificity all activities, programs, and organizations for whose benefit your state, or political subdivision thereof, has obligated or expended funds collected for 911 or E911 purposes and how these activities, programs, and organizations support 911 and E911 services or enhancements of such services.**

|  |
| --- |
| ACTIVITIESSTATEWIDE 9-1-1 SERVICE: Planning, developing, provisioning, and/or enhancement of 9 1-1 service.POISON CONTROL SERVICES: Maintain high quality telephone poison referral and related service, including community programs and assistance, in Texas. 9-1-1 PROGRAM ADMINISTRATION: Provide for the timely and cost-effective coordination and support of statewide 9-1-1 service by CSEC, including regulatory proceedings, contract management and monitoring, and requirements contained in Health and Safety Code § 771.051.POISON PROGRAM MANAGEMENT: Provide for the timely and cost-effective coordination and support by CSEC of the Texas Poison Control Network and service providers, including monitoring, administration of the telecommunications network operations, and the operations of Texas’ six regional poison control call centers. Funded on a reimbursement basis solely out of collected equalization surcharge.EMERGENCY MEDICAL DISPATCH: Support the regional emergency medical dispatch resource center program. (Overseen by CSEC.)TRAUMA CARE SYSTEM: Support the emergent, unexpected needs of approved licensed providers of emergency medical services (EMS), registered first responder organizations, or licensed hospitals.PROGRAMS9-1-1 NETWORK OPERATIONS, EQUIPMENT REPLACEMENT AND NG 9-1-1 IMPLEMENTATION: CSEC contracts with Regional Planning Commissions (RPCs) or, on their behalf for the efficient operation of the state 9-1-1 emergency telecommunications system; provides the RPCs with contract authorization and funding for the replacement of equipment supporting Public Safety Answering Points (PSAPs) participating in the state’s 9-1-1 program; and provides for the planning, development, transition and implementation of a statewide Next Generation 9-1-1 (NG9-1-1 system to improve the effectiveness and efficiency of 9-1-1 service.This program supports emergency communications and public health and safety by providing the network, equipment, database, and administration necessary to provide 9 1-1 telecommunications service.NEXT GENERATION 9-1-1 IMPLEMENTATION: CSEC provides for the planning, development, transition, and implementation of a State-Level Next Generation 9-1-1 (NG9-1-1) system to improve the effectiveness and efficiency of 9-1-1 service. Functional activities include implementation of (1) a CSEC State-level digital 9-1-1 network, otherwise referred to as the emergency services internet protocol network (ESInet); (2) 9-1-1 geospatial database and data management; (3) NG9-1-1 applications and network security provisions; and (4) standards-based system operations and procedures. For the CSEC state 9-1-1 Program, CSEC is developing and implementing a separate and distinct Next Generation 9-1-1 Program to establish standards and rules for the participating RPCs; including establishing standards for interconnectivity and interoperability with other NG9-1-1 systems. Additionally, CSEC is revising its existing RPC monitoring program as NG9-1-1 evolves to include: Programmatic Financial Audits; RPC 9-1-1 Information Security (InfoSec) Compliance; and NG9-1-1 Data Quality. (Target completion date for both is 2023.) This program supports emergency communications and public health and safety by providing a planned transition to NG9-1-1 to ensure existing 9-1-1 centers and public safety providers are able to provide emergency communications and service to the public with advances in communications devices and systems.NEXT GENERATION 9-1-1: Utilizing the NG9-1-1 Fund, funded with federal funds, support the deployment and reliable operation of next generation 9-1-1 service, including the costs of equipment, operations, and administration. Money in the fund may be distributed to CSEC and ECDs and must be used in accordance with federal law. (NG9-1-1 Fund expires on December 31, 2028.)REGIONAL POISON CONTROL CENTER OPERATIONS AND TEXAS POISON CONTROL NETWORK OPERATIONS: CSEC contracts with six RPCCs to provide poison control services and to assist in maintaining the Texas Poison Control Network. Citizens calling 1-800-222-1222, or a 9-1-1 call transferred from a PSAP, receive medical information to treat a possible poison or drug interaction before medical services are required to be dispatched. CSEC also contracts and funds the telecommunications services necessary to operate and maintain the poison control telecommunications network, including network, equipment, and software to facilitate call delivery and treatment.The Texas Legislature enacted the statewide poison control program in 1993. Per the enabling statute (Texas Health and Safety Code Chapter 777), specifically § 777.002, each PSAP in the state must “have direct telephone access to at least one poison control center” and “shall be available through all 9-1-1 services in the region.” To implement, each Texas PSAP has the ability to “one-button” conference in an RPCC as appropriate on a 9-1-1 call. The toll-free poison hotline helps to reduce the number of non-emergency calls to 9-1-1. One-button transfer helps to ensure the appropriate response to a 9-1-1 call involving a potential poisoning—including overdoses caused by opiates and other licit or illicit drugs or chemicals (e.g., Tide-pods). State funding of the statewide poison control program is provided solely from the statewide equalization surcharge (Health and Safety Code § 771.072) and the program is administered by CSEC. This program supports an enhancement to 9-1-1 emergency communications and public health and safety by providing the network, equipment, databases, administration and staffing to provide poison control service to the public, first responders and health care facilities.REGIONAL EMERGENCY MEDICAL DISPATCH RESOURCE CENTER: The purpose of this program is to serve as a resource to provide pre-arrival instructions that may be accessed by selected public safety answering points that are not adequately staffed or funded to provide those services. (Tex. Health & Safety Code Ann. § 771.102) PSAPs subscribe to emergency medical dispatch services provided by the resource center. (CSEC oversees the program.)The Texas Legislature enacted the statewide emergency medical dispatch program in 2001in which:[E]mergency medical dispatchers located in regional emergency medical dispatch resource centers are used to provide life-saving and other emergency medical instructions to persons who need guidance while awaiting the arrival of emergency medical personnel. The purpose of a regional emergency medical dispatch resource center is not to dispatch personnel or equipment resources but to serve as a resource to provide pre-arrival instructions that may be accessed by selected public safety answering points that are not adequately staffed or funded to provide those services. Health and Safety Code § 771.102 (emphasis added).In order to participate, a public safety answering point (PSAP) must agree to participate in any required training and to provide regular reports required by CSEC for the program; and must:(1) have a fully functional quality assurance program that measures each emergency medical dispatcher ’s compliance with the medical protocol;(2) have dispatch personnel who meet the requirements for emergency medical dispatcher certification or the equivalent as determined by the Department of State Health Services;(3) use emergency medical dispatch protocols approved by a physician medical director knowledgeable in emergency medical dispatch;(4) have sufficient experience in providing pre-arrival instructions; and(5) have sufficient resources to handle the additional workload and responsibilities of the program.CSEC, with the assistance of an advisory council, defines the criteria establishing the need for emergency medical dispatch intervention to be used by participating PSAPs to determine which calls are to be transferred to the regional emergency medical dispatch resource center for emergency medical dispatch intervention.CSEC contracts with the Montgomery County Hospital District (MCHD) as the sole emergency medical dispatch resource center at a cost of less than $110,000 for each Texas biennium. (For CY 2019, MCHD provided emergency medical dispatch to seven 9-1-1 Entities -- a total of 25 PSAPs -- on 4,332 9-1-1 calls.This program supports 9-1-1 emergency communications and public health and safety with a resource for pre-arrival instructions when 9-1-1 calls originate from persons in remote or inaccessible areas to which the dispatch of emergency service providers may be difficult or take a long period of time.EMERGENCY MEDICAL SERVICES AND TRAUMA CARE SYSTEMS: The purpose of the emergency medical services and trauma care system is to provide for the prompt and efficient transportation of sick and injured patients, after stabilization, and to encourage public access to that transportation in each area of the state. Equalization surcharge is used to fund the system, in connection with an effort to provide coordination with the appropriate trauma service area, the cost of supplies, operational expenses, education and training, equipment, vehicles, and cost of supplies, operational expenses, education and training, equipment, vehicles, and communications systems for local emergency medical services. (Tex. Health & Safety Code Ann. § 773.122(a) – (c)) The Texas Legislature enacted the statewide Emergency Services Health Care Act in 1989 (the Act). In 1999, the Legislature amended the Act and Health and Safety Code § 771.072 to authorize the appropriation of equalization surcharge to fund “county and regional emergency medical services, designated trauma facilities, and trauma care systems.”The Texas Department of State Health Services (DSHS) implements the over $250 million per biennium Emergency Medical Services (EMS)/Trauma program. For the 2022-2023 fiscal biennium ending on August 31, 2023, just over $3.6 million in equalization surcharge was appropriated by the Texas Legislature to DSHS. (No other 9-1-1 related funding is provided to DSHS to implement the state EMS/Trauma program.)Subchapter F of the Act, Medical Information Provided by Certain Emergency Medical Services Call Takers, authorizes an “emergency medical services call taker” to “provide medical information to a member of the public during an emergency call. The Act defines emergency medical services call taker to mean a “person who, as a volunteer or employee of a public agency, as that term is defined by Section 771.001, receives emergency calls.”\* “’Emergency call’” means a telephone call or other similar communication from a member of the public, as part of a 9-1-1 system or otherwise, made to obtain emergency medical services.” (\* Section 771.001 is the definitions section to Health and Safety Code Chapter 771, State Administration of Emergency Communications. This state law is CSEC’s enabling statute and one of two primary statutes governing the providing of 9-1-1 service; the other being Health and Safety Code Chapter 772 applicable to statutory Emergency Communication Districts.) Per the Act, only a qualified person that has successfully completed an emergency medical services call taker training program and holds a certificate is authorized to provide medical information to the public during an emergency call; and the information provided must substantially conform to the protocol for delivery of the information adopted by DSHS in a rule. The Act extends to EMS call takers the same state liability protection covering 9-1-1 call takers/telecommunicators under Civil Practices and Remedies Code § 101.032, 9-1-1 Emergency Service. DSHS adopted rules to implement the emergency medical services call taker training and certification program; specifically, Title 1, Part 1 Tex. Admin. Code Chapter 157, Subch. D § 157.49. The rule provides in part that a person who completes a department-approved training program, or whose credentials issued by an emergency medical dispatch certification agency, organization, or by another state as being equivalent to DSHS’ program may be certified as an EMS information operator for four years. (The terms “EMS information operator,” “EMS operator,” and “emergency medical services call taker” are used interchangeably by DSHS.) Recertification requires the operator to maintain current CPR certification and complete a minimum of 12 hours of continuing education. (DSHS’ rule also includes requirements for EMS information operator instructor certification and training.) This program supports an enhancement to 9-1-1 emergency communications and public health and safety by enhancing the communications systems and response of local emergency medical service responders.ORGANIZATIONS COMMISSION ON STATE EMERGENCY COMMUNICATIONS (CSEC): Established as a state agency under Texas Health and Safety Code Chapter 771, CSEC is the state’s authority on emergency communications and administers the CSEC state 9-1-1 Program in which 9-1-1 service is provided by 20 Regional Planning Commissions (RPCs). CSEC is directly involved in the RPCs’ provisioning of 9-1-1 service and in the planning, development, transition, and implementation of a State-Level Next Generation 9-1-1 (NG9-1-1) system.REGIONAL PLANNING COMMISSIONS: Established under Texas Local Government Code, Chapter 391. Political subdivisions with whom CSEC is required to contract for the provision of 9-1-1 service. RPCs use state appropriated funds via grants from CSEC to purchase goods and services used to provide provision 9-1-1 service by PSAPs. By state law, use of 9-1-1 fees by an RPC for administration expenses of the CSEC state 9-1-1 Program is capped at $10,000,000 for the biennium.REGIONAL POISON CONTROL CENTERS: Texas Health and Safety Code Chapter 777 designates six regional centers for poison control in Texas. RPCCs provide 24-hour toll-free referral and information service for the public and health care professionals and provide community programs and assistance on poison prevention. Each PSAP in the state of Texas is required to have direct access to at least one poison center. EMERGENCY MEDICAL DISPATCH—MONTGOMERY COUNTY HOSPITAL DISTRICT: Funds in the equalization surcharge dedicated account are appropriated to CSEC to partly fund the emergency medical dispatch program. (Texas Health and Safety Code § 771.106.) Appropriated funds are used by CSEC to contract with the Montgomery County Hospital District to operate and maintain the emergency medical dispatch resource center that provides services, on a subscription basis, to PSAPs in Texas. BUREAU OF EMERGENCY MANAGEMENT, TEXAS DEPARTMENT OF STATE HEALTH SERVICES: Funds in the equalization surcharge dedicated account are appropriated by the Texas Legislature directly to the Texas Department of State Health Services, and authorized to be used for the provision and coordination regional trauma services, which may include the cost of supplies, operational expenses, education and training, equipment, vehicles, and communications systems for local emergency medical services. (Texas Health and Safety Code § 773.122(a) – (c).)STATUTORY 772 EMERGENCY COMMUNICATION DISTRICTS: The 772 ECD expenditures include ongoing contracts or expenses for Selective Routing, Automatic Location Identification, Customer Premises Equipment, Geographic Information Systems and Mapping, NG9-1-1 transition migration, IP and/or wireless networks, security, legal, regulatory, advocacy, accounting, auditing, emergency notification, training, employer/employee related amounts, and memberships or conferences that support 9-1-1 services and/or enhancements and sponsored by organizations such as the National Emergency Number Association, the Texas Emergency Number Association, and the ATIS Emergency Services Interconnection Forum (ESIF). MUNICIPAL EMERGENCY COMMUNICATION DISTRICTS (INCL. DALLAS COUNTY SHERIFF’S OFFICE): Municipal ECD expenditures are substantially used to purchase, install, maintain 9-1-1 equipment; and staff and operate PSAPs (including consolidated PSAPs/emergency communications centers), including personnel salaries, training of call-takers, dues and subscriptions to professional organizations which enhance the development of 9-1-1 service. Additionally, 9-1-1 funds are used to pay for 9-1-1 network and 9-1-1 database maintenance costs, and reimbursing service providers costs incurred in providing 9-1-1 service. Funds are also used for location services, public education, emergency warning sirens/systems, emergency medical dispatch training and certification, and general support of a Municipal ECDs 9-1-1 division. 9-1-1 funds are often only a minor part of the funding needed to provide 9-1-1 service or operate an emergency communications center.9-1-1 Entities Generally(Application of the following varies by 9-1-1 entity, including each entity’s determination as to whether telecommunicators/dispatchers are part of the costs of providing 9-1-1 service. E.g., for the CSEC state 9-1-1 Program, and most 772 ECDs, telecommunicators/dispatchers salaries/benefits and dispatch costs are not considered costs of providing 9-1-1 service. CSEC and the 772 ECDs do use 9-1-1 funds to pay for telecommunicator training.)• Operating Costs, Personnel Costs, Administrative Costs, Dispatch Costs• 911 Employees’ salaries/benefits, training• Lease/Purchase, installation, operation, and maintenance of PSAP CPE• CAD system, mapping, radios, 911 PR activities, 9-1-1 furniture and equipment. Training, Administrative Assistant (assists with operational functions), IT positions (maintain, install, troubleshoot, and document all 911 technologies). Purchase, installation, operation, maintenance, and upgrade expenses of the 9-1-1 emergency services. • 911 public education program• Maintenance and support of the Emergency Callworks E911 Phone system• City's GIS department to maintain accurate CAD and 911 maps for call and responder routing• Monthly recurring expenses for phone/truck lines for 911 service• Quality assurance associated expenses as relates to 911 serviceThe City of Dallas uses the collected fees to operate and maintain the operations of the Primary and Secondary 911 Emergency Call Center (PSAPs) for the Dallas Police and Fire Rescue Departments. This includes all telephone circuits, computers and computer accessories, call processing and CAD hardware and software, call recording hardware and software, agent and call statistic reporting software, call and agent statistical dashboards, managed services and the salaries of the staﬀ.City of Denision uses 9-1-1 fees for employees' salaries, training, equipment maintenance.Town of Highland Park uses all funds and fees directly to supporting 9-1-1. Examples include: maintenance for our phone system and recording system; cyber security; and very limited compensation for personnel. The City of Plano PSC expends funds only for the City of Plano PSC in support of providing E9-1-1 services and NG9-1-1 services. (Salaries, educational supplies and curriculum, travel expenses for 911 educational events, expenses for 911 related training ans associated travel expenses, computer equipment and software purchases/maintenance for 911, monthly recurring expenses for phone/trunk lines for 911, quality assurance associated expenses)City of Sherman 911 fees collected are used for the operation and maintenance of the emergency telephone/call handling system for public safety in the City of Sherman. The primary activities include personnel, supplies, maintenance and repairs to the 911 system, training, lease and service fees. City of Richardson 911 fees are used to pay for the 911 PSAP equipment, maintenance, support, and telecommunicator salaries. City of Longview E911 fees fund the operation of Public Safety Communications Admin and training teams, cover maintenance and operational fees on our 911 Calltaking system, professional development for all 911 calltakers, and our public education program.City of Wylie reported that per city ordinance, 9-1-1 service fees shall be utilized to provide for the purchase, installation, operation, and maintenance expenses of 9-1-1 services, including required personnel. The 9-1-1 service fee may only be imposed upon service users' local exchange access lines and equivalent local exchange access lines as defined in rulemaking by the Commission on State Emergency Communications. All 9-1-1 funds have been made available or used for the purposes designated by the funding mechanism, or otherwise used for the implementation or support of 9-1-1. |

|  |
| --- |
| **E2. Please identify the uses of the collected funds.[[4]](#footnote-5) *Check all that apply*.** |
| **Type of Cost** | **Yes** | **No** |
| **PSAP operating costs, including technological innovation that supports 911** | Lease, purchase, maintenance, replacement, and upgrade of customer premises equipment (CPE) (hardware and software) | **[x]**  | **[ ]**  |
| Lease, purchase, maintenance, replacement, and upgrade of computer aided dispatch (CAD) equipment (hardware and software) | **[x]**  | **[x]**  |
| Lease, purchase, maintenance, replacement, and upgrade of PSAP building/facility | **[x]**  | **[x]**  |
| NG911, cybersecurity, pre-arrival instructions, and emergency notification systems (ENS) | **[x]**  | **[x]**  |
| **PSAP personnel costs** | Telecommunicators’ Salaries | **[x]**  | **[x]**  |
| Training of Telecommunicators | **[x]**  | **[x]**  |
| **PSAP administrative costs** | Program Administration | **[x]**  | **[ ]**  |
| Travel Expenses | **[x]**  | **[x]**  |
| **Costs for integration and interoperability of 911 systems and public safety/first responder radio systems** | Integrating public safety/first responder dispatch and 911 systems, including lease, purchase, maintenance, and upgrade of CAD hardware and software to support integrated 911 and public safety dispatch operations | **[x]**  | **[x]**  |
| Providing for the interoperability of 911 systems with one another and with public safety/first responder radio systems | **[x]**  | **[x]**  |
| **Grant programs** |  | **[x]** **If YES, see E2a.** | **[ ]**  |
| **E2a. During the annual period ending December 31, 2022, describe the grants that your state paid for through the use of collected 911/E911 fees and the purpose of such grants.** |
| The CSEC state 9-1-1 Program provides grants of legislatively appropriated 9-1-1 and equalization surcharge funds to 20 RPCs for the specific purpose of providing 9-1-1 service in each RPC’s region. CSEC provides grants of appropriated surcharge revenues to six Regional Poison Control Center host hospitals to partially fund the state Poison Control Program. (Equalization surcharge revenue is also appropriated to the Department of State Health Services to fund county and regional emergency medical services and trauma care.) |

|  |
| --- |
| **Addendum Section E2** |
|       |

1. **Description of 911/E911 Fees Collected**

|  |
| --- |
| **F1. Please describe the amount of fees or charges imposed for the implementation and support of 911 and E911 services. Please distinguish between state and local fees for each service type.** |
| **Service Type – provide *either* fee ($) or percentage (%)** *(leave inapplicable cell blank for each type)* | **Fee/Charge Imposed** | **Jurisdiction Receiving Remittance***Check one for each Service Type. If both State and County/Local Authorities receive remittances, please check the “Combination” box only.* |
| **State** | **County or Local Authority** | **Combination of State and County/Local** |
| **Wireline – monthly fee ($) or percentage (%)** | $0.50 | **[x]**  | **[ ]**  | **[ ]**  |
|      % |
| **Wireless – monthly fee ($) or percentage (%)** | $0.50 | **[x]**  | **[ ]**  | **[ ]**  |
|      % |
| **Prepaid Wireless –flat fee ($) or percentage (%) per retail transaction**  | $      | **[x]**  | **[ ]**  | **[ ]**  |
| 2% |
| **Voice Over Internet Protocol (VoIP) – monthly fee ($) or percentage (%)** | $0.50 | **[x]**  | **[ ]**  | **[ ]**  |
|      % |
| **Other – monthly fee ($) or percentage (%)** | $      | **[ ]**  | **[ ]**  | **[ ]**  |
|      % |

|  |
| --- |
| **Addendum Section F1** |
| VoIP monthly rates correspond to state and local wireline rates and therefore are not separately stated. Texas's 57 Municipal and Chapter 772 ECDs individually set their Landline/VoIP fee rates, which are imposed on service users' local exchange access lines and equivalent local exchange access lines as defined in CSEC rule 255.4 (1 Tex. Admin. Code § 255.4). ECD Landline/VoIP rates generally are set at different rates for residential and business users, including trunks. ECD Landline/VoIP rates range from:Residential: $.20 - $1.44; 6% - 8% of base rate of charges of predominate telecommunications provider.Business: $.50 - $8.70; 6% - 8% of base rate of charges of predominate telecommunications provider.Trunks: $.50 - $8.70; 6% - 8% of base rate of charges of predominate telecommunications provider. For the CSEC state 9-1-1 Program Wireline/VoIP fee and the statewide wireless, prepaid wireless, and equalization surcharge fees, the amounts are either set by or capped by the Texas Legislature |

**F2. For the annual period ending December 31, 2022, please report the total amount collected pursuant to the assessed fees or charges described in Question F1.**

|  |  |
| --- | --- |
| **Service Type** | **Total Amount Collected ($)** |
| Wireline | 67,017,627 |
| Wireless | 139,062,670 |
| Prepaid Wireless | 14,675,293 |
| Voice Over Internet Protocol (VoIP) |       |
| Other | 22,803,442 |
| **Total** | 243,559,032 |

**F2a. If an amount cannot be provided, please explain why.**

|  |
| --- |
|       |

|  |
| --- |
| **Addendum Section F2** |
| VoIP 9-1-1 fee collections are included above in Wireline amount. Other equals the collections from the state equalization surcharge. Few, if any, Texas 9-1-1 Entities set at a different rate or track VoIP 9-1-1 fees separate from their Wireline fees. Per CSEC rule (Title 1, Part 12 Tex. Admin Code § 255.4), "local exchange access line" is defined to include cable or broadband facilities "owned, controlled, or relied upon by a service provider" in providing 9-1-1 service to its end user customer’s premises. I.e., includes VoIP lines and service. Notwithstanding, the CSEC rule does not preclude an ECD (or the State) from setting wireline and VoIP 9-1-1 fees at different rates. Other equals equalization surcharge collections for CY 2022. |

**F3. Please identify any other sources of 911/E911 funding.**

|  |
| --- |
| The 87th Texas Legislature (2021) appropriated $150 million to the NG9-1-1 Fund administered by CSEC from the Texas award out of the federal Coronavirus State Fiscal Recovery Fund created by the federal American Rescue Plan Act of 2021. The NG9-1-1 Fund is distributed as reimbursements to Texas 9-1-1 Entities of eligible NG9-1-1 costs. In CY 2022 CSEC issued reimbursements totaling $5,685,326. |

|  |  |  |
| --- | --- | --- |
| **Question** | **Yes** | **No** |
| **F4. For the annual period ending December 31, 2022, were any 911/E911 fees that were collected by your state or jurisdiction combined with any federal, state or local funds, grants, special collections, or general budget appropriations that were designated to support 911/E911/NG911 services?** *Check one.* | **[x]**  | **[ ]**  |
| **F4a.** **If YES, please describe the federal, state or local funds and amounts that were combined with 911/E911 fees.** |
| CSEC issued reimbursements totaling $5,685,326 out of the NG9-1-1 Fund in CY 2022. The NG9-1-1 Fund consists of $150 million from Texas's federal ARPA - CSFRF award appropriated by the Texas Legislature to the NG9-1-1 Fund administered by CSEC.Whether a Texas 9-1-1 Entity combined other funds (primarily local general revenues) with 911/E911 fees to support 9-1-1 service depends, in part, on the Entity’s determination of what costs are attributable to 9-1-1 service. The Commission's adoption of "911 Fee Diversion Rules" (47 C.F.R. § 9.23) in June 2021 clarified the eligible uses of 9-1-1 fees and also addressed multi-purpose fees (e.g., Texas statewide equalization surcharge). Utilizing non-911 local funds is specifically applicable to Municipal ECDs who, unlike the CSEC state 9-1-1 Program and 772 ECDs, are responsible for all costs directly associated with 9-1-1 service, in addition to the costs of emergency response/dispatch, law enforcement, fire, EMS. A Municipal ECD's distinguishing between costs of 9-1-1 service and emergency response is relevant only with respect to restrictions placed on the use of 9-1-1 fees. Which is not to say that Texas 9-1-1 Entities do not recognize the importance of and adhere to such restrictions or divert 9-1-1 fees.A majority of Texas 9-1-1 Entities do not include telecommunicator/dispatcher or dispatch costs in the costs of providing 9-1-1 service. For the CSEC state 9-1-1 Program, RPCs are precluded from paying such costs; there's a limited exception applicable to the largest county in an RPC's service area. Similarly, a majority of statutory 772 ECDs do not expend 9-1-1 fees for telecommunicator/dispatcher compensation and related costs; or only provide a portion of the funds needed for such costs. Many if not most Municipal ECDs consider telecommunicator/dispatcher costs to be a fundamental part of 9-1-1 service. By way of example, see below from several Municipal ECDs. (NOTE: The following examples were in response to FCC Questions F.4. and F.5. CSEC included with question F.5. a note instructing Texas 9-1-1 Entities to include costs listed in FCC Question E.2., "but not the costs of providing emergency response--law enforcement, fire, or EMS.")Dallas reported $36,290,791 in local city funds were used to provide 9-1-1 service.Plano 9-1-1 fees were used to offset compensation costs for our call takers, public educator and three of our training coordinators (inclusive of quality assurance). These funds were re-allocated to the general fund, as all City of Plano salaries are paid from the general fund. Additional general fund monies were expended for materials and supplies, travel and training, and sundry items (i.e., awards/recognitions, associations, etc.)Longview reported that in addition to its $651,064 E911 Account, Longview Public Safety Communications is funded by an annual appropriation of funds from the City of Longview General Fund. Our FY22 budget allocation from the City of Longview was $2,963,403.Portland did not report a specific amount but identified its municipal general fund as a source of funds for 9-1-1 service.  |

|  |
| --- |
| **Addendum Section F4** |
|       |

|  |  |
| --- | --- |
| **F5. Please provide an estimate of the proportional contribution from each funding source towards the total cost to support 911 in your state or jurisdiction.** | **Percent (%)** |
| State 911 Fees | 55% |
| Local 911 Fees | 21% |
| General Fund - State |       |
| General Fund - County | 22% |
| Federal Grants | 2% |
| State Grants |       |

|  |
| --- |
| **Addendum Section F5** |
| Percentages of total cost to support 9-1-1 are derived from state and local 9-1-1 fee revenues (FCC Question F2.; including state equalization surcharge revenues) and federal grant reimbursements with each amount divided by the total cost to provide 9-1-1 service (FCC Question B3.) The resulting quotients being the percentages listed above in State 911 Fees, Local 911 Fees, and Federal Grants (NG9-1-1 Fund reimbursements).General Fund - County reflects the remaining percentage amount and is derived, notwithstanding the listing, from City/Municipality rather than General Funds - County and is distinct from Local 911 Fees. (I.e., General Fund -- City/Municipality is not one of the listed categories.) The 21% figure is a low percentage as the CSEC state 9-1-1 Program and most 772 ECDs preclude the use of 9-1-1 fees to pay expenses such as telecommunicators/dispatchers. The cost of providing telecommunicators/dispatchers in these two program areas exist but are simply not captured in their costs of providing 9-1-1 service (FCC Question B3.).Wylie reported that 100% of funding for 9-1-1 service is derived from General Funds - City. Dallas reported 87%; Highland Park 89%; Plano 72%; Sherman 78%; Ennis 95%; Garland 66%; Richardson 42%. |

1. **Description of Diversion or Transfer of 911/E911 Fees for Other Uses**

For the purposes of this questionnaire, diversion is the obligation or expenditure of a 911 fee or charge for a purpose or function other than the purposes and functions identified in 47 CFR § 9.23 of the Commission’s rules as acceptable.

|  |  |  |
| --- | --- | --- |
| **Question** | **Yes** | **No** |
| **G1. In the annual period ending December 31, 2022, were funds collected for 911 or E911 purposes in your state or jurisdiction obligated or expended solely for acceptable purposes and functions as provided under 47 CFR § 9.23?** *Check one*. | **[x]**  | **[ ]**  |
| **G1a.** **If NO, please identify what amount of funds collected for 911 or E911 purposes were obligated or expended for purposes or functions other than those designated as acceptable under 47 CFR § 9.23, including any funds transferred, loaned, or otherwise used for the state's general fund. Along with identifying the amount, please include a statement identifying the purposes or functions for such funds.** |
| **Amount of Funds ($)** | **Identify the purposes or functions other than those designated as acceptable by the Commission for which the 911/E911 funds were obligated or expended. (*If you need more rows for your response, please enter the information in Addendum Section G1.*)** |
|       |       |
|       |       |
|       |       |
|       |       |
|       |       |

|  |
| --- |
| **Addendum Section G1** |
|       |

|  |  |  |
| --- | --- | --- |
| **Question** | **Yes** | **No** |
| **G2. In the annual period ending December 31, 2022, were funds collected for 911 or E911 purposes in your state or jurisdiction obligated or expended for the purchase, maintenance, replacement, or upgrade of public safety radios, networks, equipment, or related infrastructure?** *Check one*. | **[x]**  | **[x]**  |
| **G2a. If YES to G2, are all of the public safety radios, networks, equipment, or related infrastructure on which funds were obligated or expended used to deliver 911-originated information to emergency responders? For the purposes of this questionnaire, 911-originated information includes all data and information delivered between the 911 request for assistance and the emergency responders.**  | **[x]**  | **[x]**  |
| **G2a(i). If NO to G2a, please explain.** |
| A majority of Texas's 77 9-1-1 Entities did not expend funds on radios, networks, equipment, or related infrastructure. (Texas interpreted G2 and G2a terms "networks, equipment, related infrastructure" as pertaining to public safety radios and therefore distinguishable from the 9-1-1 Networks implemented by the entities to route and receive 9-1-1 calls.  |
| **G2b.** **If YES to G2, please itemize the amounts that were obligated or expended and include descriptions of the public safety radios, networks, equipment, or related infrastructure.**  |
| **Amount of Funds ($)** | **Description of such obligations or expenditures. (*If you need more rows for your response, please enter the information in Addendum Section G2.*)** |
|       |       |
|       |       |
|       |       |
|       |       |
|       |       |

|  |
| --- |
| **Addendum Section G2** |
| Few Texas 9-1-1 Entities provided information including costs for public safety radios, networks, equipment, or related infrastructure. The Cities of DeSoto/Cedar Hill/Duncanville reported spending $37,000 on radio maintenance and $28,000 on radio tower rental.  |

**Safe Harbor for Multi-Purpose Fees**. Section 9.23(d) of the rules provides an elective safe harbor for states and taxing jurisdictions that designate multi-purpose fees or charges for “public safety,” “emergency services,” or other similar purposes where a portion of those fees or charges supports 911 services. *See* 47 CFR § 9.23(d). The rule provides that the obligation or expenditure of such a fee or charge will not constitute diversion if the state or taxing jurisdiction (i) specifies the amount or percentage of such fees or charges that is dedicated to 911 services; (ii) ensures that the 911 portion of such fees or charges is segregated and not commingled with any other funds; and (iii) obligates or expends the 911 portion of such fees or charges for acceptable purposes and functions as defined under the Commission’s rules.

**G3. Does your state or taxing jurisdiction collect multi-purpose fees or charges designated for “public safety,” “emergency services,” or other similar purposes where a portion of those fees or charges supports 911 services?**[[5]](#footnote-6) *Check one.*

* Yes ………………….. [x]
* No ………………..….. [ ]

**If YES to G3, please answer Questions G3a – G3c below. If NO to G3 above, leave Questions G3a – G3c below blank.**

|  |  |  |
| --- | --- | --- |
| **Question**  | **Yes** | **No** |
| **G3a. Does the state or taxing jurisdiction specify the amount or percentage of such fees or charges that is dedicated to 911 services?** *Check one.* | **[x]**  | **[ ]**  |
| **Question** | **Response** |
| **G3a(i). Cite to the authority by which the state or taxing jurisdiction specifies the amount or percentage.**  | Tex. Health & Safety Code Ann. § 771.072(d) - (e), (g). |
| **G3a(ii). Indicate the amount or percentage of such a fee dedicated to 911 services. Provide *either* dollar amount or percentage.** *(Leave inapplicable cell blank.)* | $      |
| 40%% |
| **Question**  | **Yes** | **No** |
| **G3b. Does the state or taxing jurisdiction ensure that the 911 portion of such fees or charges is segregated and not commingled with any other funds?** *Check one.* | **[ ]**  | **[x]**  |
| **G3b(i). Cite to the authority by which the state or taxing jurisdiction segregates such fees.** |
| The statewide equalization surcharge under Health and Safety Code § 771.072 is deposited into state general revenue-dedicated (GR-D) account number 5007. The statute designates 60% of the revenues for poison control services; 40% for 9-1-1 service; and authorizes the Legislature to appropriate from the account for purposes of trauma care and systems. The account does not per se segregate the 9-1-1, poison control, and trauma portions. CSEC is responsible via the state Legislative Appropriations Request process, and reflected in CSEC's resulting apporpriations bill pattern, to ensure the statutory percentages of appropriated funds from GR-D 5007 are maintained. The Texas Legislature appropriates approximately $1.7 million each biennium to the Department of State Health Services to “fund county and regional emergency medical services, designated trauma facilities, and trauma care systems.” Tex. Health & Safety Code Ann. §§ 771.106, 771.072(g) (quotation from § 773.122 regarding Emergency Medical Services). |
| **Question**  | **Yes** | **No** |
| **G3c. Does the state or taxing jurisdiction obligate or expend the 911 portion of such fees or charges only for the purposes and functions designated by the Commission as acceptable pursuant to 47 CFR § 9.23?** *Check one.* | **[x]**  | **[ ]**  |
| **G3c(i). If NO to G3c, please explain.** |
|       |

|  |
| --- |
| **Addendum Section G3** |
| Funds in the dedicated state equalization surcharge account (GR-D 5007) are appropriated "off the top" by the Legislature for trauma facilities/trauma care systems. All other appropriations from the account are to CSEC and split 60/40 among Poison Control and 9-1-1 service, respectively. |

1. **Oversight and Auditing of Collection and Use of 911/E911 Fees**

|  |  |  |
| --- | --- | --- |
| **Question** | **Yes** | **No** |
| **H1. Has your state established any oversight or auditing mechanisms or procedures to determine whether collected funds have been obligated or expended for acceptable purposes and functions as designated under the Commission’s rules?** *Check one.* | **[x]**  | **[x]**  |
| **H1a.** **If YES, provide a description of: (i) the mechanisms or procedures and (ii) any enforcement or other corrective actions undertaken in connection with such auditing authority, for the annual period ending December 31, 2022.** *(Enter “None” if no actions were taken.)* |
| The question specifically asks about state established oversight. Only CSEC and its 20 Regional Planning Commissions are subject to oversight/auditing by the Texas State Auditor (or CSEC internal auditor). The remaining 57 ECDs are subject to state single audit requirements only if they receive state funds. Accordingly, as answered, the question includes city/county oversight and auditing. And the answers are a mix of "yes" and "no." No Texas 9-1-1 Entity reported corrective actions for CY 2022. For the CSEC 9-1-1 Program, 9-1-1 service is provided by 20 Regional Planning Commissions and overseen and administered by CSEC. Health and Safety Code Chapter 771 governs the CSEC 9-1-1 program and includes requirements for providing 9-1-1 service and prescribes limits regarding the use of 9-1-1 fees and the equalization surcharge. CSEC rules and policy statements are used to implement 9-1-1 service consistent with statutory requirements. Per these rules/policies, CSEC routinely monitors RPC expenditures of appropriated and allocated 9-1-1 service fees and equalization surcharge for uses consistency with statute. CSEC, in turn, is subject to audit by the Texas State Auditor, Texas Comptroller (e.g., post payment audits), as well as by its internal auditor. The 772 ECDs are statutorily charged to provide 9-1-1 service in their participating jurisdictions’ areas. In addition, the 772 ECDs are required to submit a draft annual budget to their participating jurisdictions for 9-1-1 service and adopt the final annual budget at an open public meeting. As soon as practicable after the end of each ECD fiscal year, the director of the ECD will prepare and present to the board and to all participating public agencies a sworn statement of all money received by the ECD and how the money was disbursed or otherwise disposed of during the preceding fiscal year. The report must show in detail the operations of the ECD for the period covered by the report. The board of managers of the ECD is required to perform an annual independent financial audit.As noted earlier, Municipal ECDs and the one county ECD are required by state law to set annual budgets at public open meetings and perform audits. (As also noted, however, 9-1-1 fees represent a fraction of the overall budgeting and auditing responsibilities of these governing bodies.) Additionally, and by way of example including from past responses: The ECDs have and continue to report:• Dallas responded that it identifies eligible expenses by categories and periodically audits expense reports from the financial system. Budget requests go through an approval process for new/one-time expenses. • Highland Park has an internal policy established by the Police Chief to ensure 9-1-1 funds are expended only for purposes designated by the funding mechanism. • Coppell’s finance department records all 911 fees and expenditures in separate, individual general ledger accounts. • Rowlett’s 9-1-1 funds are accounted for separately and placed into a restricted fund, which is audited every year. • Portland conducts an annual audit on all city funds to ensure all monies are spent prudently and according to guidelines established by the City Council, general accounting procedures, and GASB standards.• Cities of Cedar Hill, DeSoto, Duncanville (which combined to establish and operate a single PSAP/ECC) conducts 9-1-1 auditing through the Finance Department of DeSoto.Richardson's financial statements and underlying accounting records are subject to audit by a third-party, independent audit firm. The 911 fees and their use fall within the scope of the audit. Also, Budget and Accounting staff review the use of 911 fees as part of the budget preparation process each year. Longview reported that Funds collected from 911 fees are collected and maintained in a budget separate from the City's general fund. All expenditures made from the E911 account are vetted and approved by the communications manager. Funds are only used for 911, 911 training, and 911 program administration.Richardson: The City's financial statements and underlying accounting records are subject to audit by a third-party, independent audit firm. The 911 fees and their use fall within the scope of the audit. Also, Budget and Accounting staff review the use of 911 fees as part of the budget preparation process each year. No corrective actions have been required as a result of this oversight.Plano: Municipal budgets and audits thereof, are subject to applicable municipal ordinance(s) and/or Texas Local Government Code Chapters 102 (budgets) and 103 (audit of finances). Municipal oversight procedures reflect the normal operations. Our budget is approved by the City Council and oversight is provided by city officials practicing and adhering to state purchasing/procurement procedures, and general accepted accounting principles. |

|  |
| --- |
| **Addendum Section H1** |
|       |

|  |  |  |
| --- | --- | --- |
| **Question** | **Yes** | **No** |
| **H2. Does your state have the authority to audit service providers to ensure that the amount of 911/E911 fees collected from subscribers matches the service provider’s number of subscribers?** *Check one.* | **[x]**  | **[ ]**  |
| **Question** | **Yes** | **No** | **N/A** |
| **H2a. Did your state conduct an audit of service providers in connection with such auditing authority during the annual period ending December 31, 2022?** *Check one; check N/A if Question H2 response above is NO*.  | **[x]**  | **[ ]**  | **[ ]**  |
| **H2b. If YES to H2 and H2a, provide a description of any auditing or enforcement or other corrective actions undertaken in connection with such auditing authority for the annual period ending December 31, 2022.** *(Leave blank if not applicable / no actions were taken.)* |
| No Texas 9-1-1 Entity reported any enforcement or corrective actions for CY 2022. The handful of ECDs reporting auditing activity did not provide details.The Texas Comptroller is authorized to audit any service provider that has been set-up at the state level to remit 9-1-1 fees and/or the equalization surcharge to the Comptroller; including retailers of prepaid wireless telecommunications service. The Comptroller has exclusive jurisdiction over the statewide wireless/prepaid wireless and equalization surcharge fees, and regularly conducts (multi-year) audits of service providers. These audits, while typically initiated for sales tax and other purposes, will generally audit all taxes the provider is set-up to remit—including 9-1-1 fees and the equalization surcharge. CSEC lacks information regarding specific audits initiated by the Texas Comptroller during calendar year 2020. Anecdotally, CSEC is aware of ongoing Comptroller audits of some wireless service providers, including particularly prepaid wireless service providers.The board of managers of a statutory 772 ECD may require a service provider to provide to the board any information the board requires (so long as the information and the format requested are readily available) to determine whether the service provider is correctly billing, collecting, and remitting the ECD’s wireline/VoIP 9-1-1 fee. The information required from a service provider may include: (1) the number of local exchange access lines that the service provider has in the district; and (2) the number of those local exchange access lines that CSEC has excluded from the definition of a local exchange access line or an equivalent local exchange access line under Health and Safety Code § 771.063. A statutory 772 ECD may bring suit to enforce or collect its wireline/VoIP 9-1-1 fee. In a proceeding to collect unremitted fees, a sworn affidavit of the ECD specifying the amount of unremitted fees is prima facie evidence that the fees were not remitted and of the amount of the unremitted fees. Municipal ECDs, as Home-Rule Cities, generally have broad authority to do what they deem necessary unless such is expressly in conflict with state law. The one county ECD (Dallas County) lacks statutory or Home-Rule City authority and may have more limited collection options if not being mutually pursued along with either the Texas Comptroller and/or statutory or other municipal ECDs. |

|  |
| --- |
| **Addendum Section H2** |
|       |

1. **Description of Next Generation 911 Services and Expenditures**

|  |  |  |
| --- | --- | --- |
| **Question** | **Yes** | **No** |
| **I1. Does your state or jurisdiction classify expenditures on Next Generation 911 (NG911) as within the scope of acceptable purposes and functions for the obligation or expenditure of 911 fees or charges?** *Check one.* | **[x]**  | **[ ]**  |
| **I1a. If YES, please cite any specific legal authority:** |
| Health and Safety Code §§ 771.0511, 771.0512, 771.0711, 771.0712, 771.072, 771.075, 771.0751, and 771.079. (The foregoing provisions applicable to the use of state wireless/prepaid wireless fees and the state equalization surcharge apply throughout the state—including in areas in which 9-1-1 service is provided by an ECD.) For statutory 772 ECDs, “allowable operating expenses include all costs attributable to designing a 9-1-1 system and all equipment and personnel necessary to establish and operate a public safety answering point and other related operations that the board considers necessary.” (Cf. Health and Safety Code §§ 772.117, 772.217, 772.317, and 772.519.) Two of the 27 statutory ECDs are expressly instructed to provide 9-1-1 service to their participating jurisdictions through “equivalent state-of-the-art technology.” (Cf. Health and Safety Code §§ 772.110 and 772.512.)Municipal ECDs generally have broad authority as home-rule cities or as a county to classify expenditures unless such are expressly in conflict with state law. E.g., Dallas Ordinances 30651 (9/20/2017) and 30991 (9/7/2018)approved by the Dallas City Council under Resolution Nos. 17-1505 and 18-1337. During CY 2022, CSEC implemented a federal grant program to administer the NG9-1-1 Fund ($150 million in appropriated ARPA – CSFRF. CSEC allocated $150 million during CY 2022 to Texas 9-1-1 Entity Subrecipients (and to CSEC for grant administration and other purposes). A majority of grant award contracts between CSEC and Texas 9-1-1 Entity Subrecipients were executed during CY 2022; with many either continuing or initiating their NG9-1-1 projects during the year. |

|  |  |  |
| --- | --- | --- |
| **Question** | **Yes** | **No** |
| **I2. In the annual period ending December 31, 2022, has your state or jurisdiction expended funds on NG911 programs?** *Check one.* | **[x]**  | **[ ]**  |
| **I2a. If YES, please enter the dollar amount that has been expended during the annual period.** |
| **Amount****($)** | $49,976,384  |

|  |
| --- |
| **Addendum Section I2** |
| The majority of the above amount was expended in the CSEC state 9-1-1 program ($8,158,177), constitutes reimbursements from federal grant funds ($5,685,326) exclusively limited to NG9-1-1 expenses; and by 772 ECDs ($33,236,069). Several of the 29 Municipal ECDs answered the question "yes" but did not specify an amount expended on NG9-1-1 |

|  |
| --- |
| **I3. For the annual period ending December 31, 2022, please provide the number of PSAPs that operated on each type of NG911 Emergency Service IP Network(s) (ESInets) that operated within your state.**  |
| **Type of ESInet** | **Yes** | **No** | **If Yes, Enter Total PSAPs Operating on the ESInet** | **If Yes, does the type of ESInet interconnect with other state, regional or local ESInets?** |
| **Yes** | **No** |
| I3a. A single, state-wide ESInet | **[ ]**  | **[x]**  |       | **[ ]**  | **[ ]**  |
| I3b. Local (*e.g.*, county) ESInet(s) | **[ ]**  | **[x]**  |       | **[ ]**  | **[ ]**  |
| I3c. Regional ESInets | **[x]**  | **[ ]**  | [If one Regional ESInet is in operation, provide the total PSAPs on the first line below. If more than one Regional ESInet is in operation, provide the total PSAPs operating on each ESInet.] |  |  |
| Name of Regional ESInet 1:Alamo Area Council of Governments  | 9 | **[x]**  | **[ ]**  |
| Name of Regional ESInet 2:Ark-Tex Council of Governments  | 13 | **[x]**  | **[ ]**  |
| Name of Regional ESInet 3:Brazos Valley Council of Governments | 5 | **[x]**  | **[ ]**  |
| Name of Regional ESInet 4:Central Texas Council of Governments | 10 | **[x]**  | **[ ]**  |
| Name of Regional ESInet 5:Coastal Bend Council of Governments | 18 | **[x]**  | **[ ]**  |
| Name of Regional ESInet 6:Concho Valley Council of Governments | 14 | **[x]**  | **[ ]**  |
| Name of Regional ESInet 7:Deep East Texas Council of Governments | 15 | **[x]**  | **[ ]**  |
| **If more Regional ESInets operate in your state or taxing jurisdiction, please list the names of Regional ESInets 8 and higher, and numbers of associated PSAPs, in the space below:** |
| CSEC state 9-1-1 program: Heart of Texas COG (7, yes); Middle Rio Grande Development Council (12, yes); Nortex Regional Planning Commission (8, yes); Panhandle Regional Planning Commission (22, yes); Permian Basin Regional Planning Commission (11, yes); Rio Grande Council of Governments (4, yes); South East Texas Regional PlanningCommission (13, yes); South Plains Association of Governments (12, yes); South Texas Development Council/ Cityof Laredo (6, yes); Texoma Council of Governments (6, yes); and West Central Texas Council of Governments (18, yes). All 20 RPCs completed deploying NGCS as of December 31, 2022. For those who were routing calls via their respective core, work began to transition OSPs off of the selective routers.Municipal ECDs: North Texas Emergency Communications Center (Municipal ECDs Addison, Carrollton, Coppell, and Farmers Branch) (1, yes); Denison (1, yes -- utilizes the Texoma Council of Governments procured ESInet). 772 ECDs: Brazos County ECD (5, yes); Lubbock ECD (8, yes); El Paso County 911 (5, yes); Galveston County ECD (7, yes); Potter-Randall ECD (4, yes); Medina County (1, don't know); Cameron County ECD (9, yes); Calhoun County ECD (1, yes); Henderson County 9-1-1 (4, yes); Howard County 911 (1, yes); Kerr Emergency Network (1, yes); Denco Area 911 District (11, yes); North Central Texas ECD (42, yes); Bexar Metro 9-1-1 Network (18, yes); Austin County ECD (2, yes); Rio Grande Valley ECD (17, yes); Greater Harris County 9-1-1 (37, yes); Abilene-Taylor County 911 (1, yes); Capital Area ECD (31, yes). |

|  |
| --- |
| **Addendum Section I3** |
|       |

**I4. Please provide a description of any NG911 projects completed or underway during the annual period ending December 31, 2022.**

|  |
| --- |
| CSEC state 9-1-1 Program: No fully i3 NG911 compliant networks were turned up and operational during CY 2022. All 20 RPCs deployed services with NGCS (4 with Motorola, 16 with ATT) by 12/31/22. BY CY 2022 year-end, the four on Motorola were in the process of completing OSP migrations (scheduled for completion in CY 2023). The 16 on ATT are in the process of beginning OSP traffic migration to the ATT NG Core. As a sub-project, CSEC began the procurement process for a statewide cybersecurity assessment for all 20 RPCs for all 237 PSAPs and awarded a contract in July 2023. One RPC completed work on a sub-project for indoor mapping (CVCOG). Continued progress was made on implementing NG911, including: Governance, GIS Data Standards; GIS Data Quality.Municipal ECDs: Plano completed its procurement, special construction completed, and planning for implementation in 2023. Sherman transitioned to ATT ESInet as part of a hosted solution with Texoma Council of Governments. RichardsonLongview conducted internal discussions regarding possibly contracting for NGCS from a vendor or possibly becoming a satellite agency from its local Council of Governments' existing network. Dallas executed an NG9-1-1 agreement with AT&T. A majority of Municipal ECDs neither have ESInets nor have expended funds for NG9-1-1 projects. The Texas Legislature appropriated to CSEC $150 million in federal American Rescue Plan Act of 2021 to CSEC to award to Texas 9-1-1 Entities to implement NG9-1-1. For a majority of Municipal ECDs, the federal funds are the first occasion the entity will begin the process of transitioning to NG9-1-1 service. 772 statutory ECDs: Several 772 ECDs reported ongoing NG9-1-1 projects during CY 2022, including Greater Harris County 9-1-1, Lubbock County, Bexar Metro 9-1-1, El Paso, North Central Texas, Austin County, and Abilene-Taylor. No descriptions of project specifics were provided. |

|  |  |
| --- | --- |
| **I4a. Based on your response to I4, please indicate which categories of NG911 expenditures from this non-exhaustive list apply.** | ***Check all that apply*.** |
| **General Project or Not Specified** | **[x]**  |
| **Planning or Consulting Services** | **[x]**  |
| **ESInet Construction** | **[x]**  |
| **NG911 Core Services** | **[x]**  |
| **Hardware or Software Purchases or Upgrades** | **[x]**  |
| **GIS** | **[x]**  |
| **NG911 Security Planning** | **[x]**  |
| **Training** | **[x]**  |

**I5. As of December 31, 2022, how many PSAPs within your state have implemented text-to-911 and are accepting texts? Please refrain from non-numeric responses such as “all PSAPs.” Enter any text in Addendum Section I5.**

|  |  |
| --- | --- |
| **Total Number of PSAPs Accepting Texts as of December 31, 2022** | 502 |

|  |
| --- |
| **Addendum Section I5** |
|       |

**I6. By the end of the *next* annual period ending December 31, 2023, how many *total* PSAPs do you anticipate will have implemented text-to-911 and will be accepting texts?**

|  |  |
| --- | --- |
| **Estimated Total Number of PSAPs Accepting Texts as of December 31, 2023** | 558 All PSAPs |

|  |
| --- |
| **Addendum Section I6** |
|       |

1. **Cybersecurity Expenditures**

|  |  |  |
| --- | --- | --- |
| **Question** | **Check the appropriate box** | **If Yes,****Amount Expended ($)** |
| **J1. During the annual period ending December 31, 2022, did your state expend funds on cybersecurity programs for PSAPs?**  | Yes**[x]**  | No**[ ]**  | $2,170,655 |

|  |
| --- |
| **Addendum Section J1** |
| A number of ECDs reported having expended no funds on cybersecurity in CY 2022. |

|  |  |
| --- | --- |
| **Question** | **Total PSAPs** |
| **J2. During the annual period ending December 31, 2022, how many PSAPs in your state either had a cybersecurity program or participated in a regional or state-run cybersecurity program?** | 285 |

|  |
| --- |
| **Addendum Section J2** |
|       |

|  |  |  |  |
| --- | --- | --- | --- |
| **Question** | **Yes** | **No** | **Unknown** |
| **J3. Does your state or jurisdiction adhere to the National Institute of Standards and Technology *Framework for Improving Critical Infrastructure Cybersecurity* (April 2018) for networks supporting one or more PSAPs in your state or jurisdiction?**[[6]](#footnote-7) *Check one.* | **[x]**  | **[ ]**  | **[ ]**  |

|  |
| --- |
| **Addendum Section J3** |
| Yes, unknown, or N/A were the prevalent answers -- with a majority of the 77 Texas 9-1-1 Entities reporting yes. The CSEC state 9-1-1 Program anticipates implementing NIST cybersecurity framework by the end of CY 2023. |

1. **Measuring Effective Utilization of 911/E911 Fees**

**K1. Please provide an assessment of the effects achieved from the expenditure of state 911/E911 or NG911 funds, including any criteria your state or jurisdiction uses to measure the effectiveness of the use of 911/E911 fees and charges.**  **If your state conducts annual or other periodic assessments, please provide an electronic copy (*e.g.*, Word, PDF) of the latest such report upon submission of this questionnaire to the FCC or provide links to online versions of such reports in the space below.**

|  |
| --- |
| (The majority of this response is the same as provided for CY 2020.)CSEC state 9-1-1 Program: CSEC and its RPC stakeholders are required to submit 9-1-1 strategic plans: CSEC to the Governor and Texas Legislative Budget Board for 9-1-1 service within the CSEC state 9-1-1 Program; and the RPCs to CSEC, approval of which is a prerequisite to being awarded grants of appropriated 9-1-1 fees and equalization surcharge (Health and Safety Code §§ 771.055(e) and 771.055(a)-(c), respectively). CSEC Statewide 9-1-1 Strategic Plan: For each fiscal biennium, CSEC prepares a strategic plan for statewide 9-1-1 service for the following five state fiscal years “using information from the strategic information contained in the regional plans and provided by emergency communication districts and home-rule municipalities that operate 9-1-1 systems independent of the state system.” The plan must:(1) include a survey of the current performance, efficiency, and degree of implementation of emergency communications services throughout the whole state;(2) provide an assessment of the progress made toward meeting the goals and objectives of the previous strategic plan and a summary of the total expenditures for emergency communications services in this state;(3) provide a strategic direction for emergency communications services in this state;(4) establish goals and objectives relating to emergency communications in this state;(5) provide long-range policy guidelines for emergency communications in this state;(6) identify major issues relating to improving emergency communications in this state;(7) identify priorities for this state's emergency communications system; and(8) detail the financial performance of each regional planning commission in implementing emergency communications service including an accounting of administrative expenses. Included in the plan as Appendix 1 is CSEC’s Next Generation Master Plan detailing CSEC’s vision of Texas NG9-1-1 System as being comprised of interconnected and interoperable NG9-1-1 systems of local, regional, and other emergency services networks. As a “system-of-systems” and “network-of-networks,” the Texas NG9-1-1 System will provide Texas 9-1-1 Entities the choice to connect their PSAPs directly to emergency services networks and utilize NG9-1-1 Core Services (NGCS) provisioned by NG9-1-1 systems deployed by the CSEC, the Regional Planning Commissions (RPCs), the Emergency Communications Districts (ECDs) and collaborating 9-1-1 Entities at the local and regional level in Texas. These interconnected NG9-1-1 systems will serve as multiple input points for all 9-1-1 calls in the State of Texas. The current plan including the NG9-1-1 appendix can be obtained at https://www.csec.texas.gov/s/next-generation-9-1-1?language=en\_US.RPC Strategic PlanningPer Health and Safety Code § 771.055:(a) Each regional planning commission shall develop a regional plan for the establishment and operation of 9-1-1 service throughout the region that the regional planning commission serves. The 9-1-1 service must meet the standards established by the commission.(b) A regional plan must describe how the 9-1-1 service is to be administered. The 9-1-1 service may be administered by an emergency communication district, municipality, or county, by a combination formed by interlocal contract, or by other appropriate means as determined by the regional planning commission. In a region in which one or more emergency communication districts exist, a preference shall be given to administration by those districts and expansion of the area served by those districts.(c) A regional plan must be updated at least once every state fiscal biennium and must include:(1) a description of how money allocated to the region under this chapter is to be allocated in the region;(2) projected financial operating information for the two state fiscal years following the submission of the plan; and(3) strategic planning information for the five state fiscal years following submission of the plan.Statutory 772 ECDsAs noted earlier the director of a statutory 772 ECD is required to, as soon as practicable after the end of each ECD fiscal year, prepare and present to the board and to all participating public agencies in writing a sworn statement of all money received by the ECD and how the money was disbursed or otherwise disposed of during the preceding fiscal year, and the report must show in detail the operations of the district for the period covered by the report. In addition, the board of managers of a statutory ECD shall perform an annual independent financial audit.Municipal ECDsSeveral commented about the declining overall amount in 9-1-1 fees or that 9-1-1 fees alone were insufficient in providing effective 9-1-1 service; hence the municipality relies upon general revenues in order to provide effective 9-1-1 service. A couple of Municipal ECDs provided their performance objectives (e.g., staffing levels, call-wait times, certification/licensing levels), paid with 9-1-1 fees to the extent sufficient, as indicators of effectiveness. Plano: Answering 95% of all 9-1-1 calls within 15 seconds and 99% of all calls within 40 seconds. Maintain 100% passing rate for State TCOLE licensing exam Continued progress towards implementation of NG9-1-1 ESINet and Core Services.Portland: E911 call answer times average less than 5 rings and officer average response time 5 minutes or less. No formal reports.Highland Park: We collect so little compared to our overall budget that no assessment is needed.Longview utilizes E911 fees to fund our admin staff, training staff, employee professional development, maintenance of our 911 system, and public education. The effectiveness of that spending is essentially judged based upon the quality of services we're able to provide, and the fact that we can do so without overburdening the City of Longview General Fund. |

1. **Underfunding of 911**

For the purposes of this questionnaire, underfunding occurs when funding levels are below the levels required for optimal performance of 911 operations.

**L1. Describe the impact of any underfunding of 911 services in your state or taxing jurisdiction during the annual period ending December 31, 2022.** *Indicate N/A if your state or taxing jurisdiction did not experience underfunding*.

|  |
| --- |
| Sherman has had to use funds from the City General Fund to ensure all aspects of 911 service are covered.Longview cannot currently afford to transition to NG11 or implement an ESInet. The State's grant program was woefully insufficient and felt orchestrated to make the process difficult.Non-identified responses from prior CYs include:Underfunding will cause equipment failure and delayed response for emergency calls. It will also causes staffing shortages.We are tremendously impacted by underfunding of 911 services. 91% of our budget is funded directly by our municipality as the cost way outweighs the money collected to support 911E911 funds are not sufficient to cover the cost of procurement, implementation, and management of an NG911 solution. Additionally, dispatcher salaries (32) positions all must be funded from the City general fund.New technology in 911 is putting more of a strain on the PSAP, if the city is unable to supplement or expend the money for new or upgraded technology that the center needs then we are unable to provide a better public safety service to the community. Underfunding has affected the timeframe as to implementation of NG911 projects and hiring adequate staff for the center. Reliance on grant funds to pursue and pay for projects and services. Wireline fees have been raised to a level that is not optimal for our jurisdiction to offset declining revenue.Since our wireline fee is decreasing, and we have to do with the $0.50 wireless fee, underfunding will cause a degradation of our 9-1-1 services. We won't be able to keep up with the rapidly changing technology that our citizens expect and deserve. Our budget only allows for 1 full time and 1 part time employee. Since our wireline fee is decreasing, and we have to do with the $0.50 wireless fee, underfunding will cause a degradation of our 9-1-1 services. We will not be able to keep up with the rapidly changing technology that our citizens expect and deserve. Have had to keep businesses paying a higher fee even though they account for less than 2% of our 911 calls. Would possibly be able to reduce this fee if wireless fees were increased. Have also had to decrease amounts that we are able to budget towards donating/assisting other public safety agencies. Have not been able to create and hire new positions to help with the increased responsibilities required by NG911.Not been able to fully implement NG9-1-1 services, full range of mitigation strategies, or full security measures.Replacement of UPS systems at end of life had to be delayed due to lack of funding in current budget.  |

**L2. Describe how any fee diversion affected 911 underfunding in your state or taxing jurisdiction during the annual period ending December 31, 2022.** *Indicate N/A if your state or taxing jurisdiction did not divert.*

|  |
| --- |
| N/A |

**We have estimated that your response to this collection of information will take an average of 10 to 55 hours. Our estimate includes the time to read the instructions, look through existing records, gather and maintain required data, and actually complete and review the form or response. If you have any comments on this estimate, or on how we can improve the collection and reduce the burden it causes you, please write the Federal Communications Commission, Office of Managing Director, AMD‑PERM, Washington, DC 20554, Paperwork Reduction Act Project (3060‑1122). We will also accept your PRA comments via the Internet if you send an e-mail to** **PRA@fcc.gov****.**

**Please DO NOT SEND COMPLETED FORMS TO THIS ADDRESS. You are not required to respond to a collection of information sponsored by the Federal government, and the government may not conduct or sponsor this collection, unless it displays a currently valid OMB control number and/or we fail to provide you with this notice. This collection has been assigned an OMB control number of 3060‑1122.**

**THIS NOTICE IS REQUIRED BY THE PAPERWORK REDUCTION ACT OF 1995, PUBLIC LAW 104-13, OCTOBER 1, 1995, 44 U.S.C. SECTION 3507.**

1. *See* Consolidated Appropriations Act, 2021, Public Law 116-260, Division FF, Title IX, section 902. [↑](#footnote-ref-2)
2. A Primary PSAP is one to which 911 calls are routed directly from the 911 Control office. A secondary PSAP is one to which 911 calls are transferred from a Primary PSAP. *See* National Emergency Number Association (NENA), Master Glossary of 9-1-1 Terminology at 174 (June 22, 2021), <https://cdn.ymaws.com/www.nena.org/resource/resmgr/standards-archived/nena-adm-000.24-2021_final_2.pdf>. [↑](#footnote-ref-3)
3. For the purposes of this questionnaire, a telecommunicator, also known as a call taker or a dispatcher, is a person employed by a PSAP who is qualified to answer incoming emergency voice, text, and multi-media calls and/or who provides for the appropriate emergency response either directly or through communication with the appropriate PSAP. *See* <https://nenawiki.org/wiki/Telecommunicator>. [↑](#footnote-ref-4)
4. *See* 47 CFR § 9.23(b)(1)–(5). [↑](#footnote-ref-5)
5. For purposes of this question, please report only multi-purpose fees or charges “applicable to commercial mobile services, IP-enabled voice services, or other emergency communications services,” where a portion of those fees or charges supports 911 services. 47 CFR § 9.22. Please do not report multi-purpose fees or charges applicable to other types of items (e.g., do not report multi-purpose fees on real estate where a portion of those fees supports 911 services). [↑](#footnote-ref-6)
6. National Institute of Standards and Technology, Framework for Improving Critical Infrastructure Cybersecurity (2018), <https://nvlpubs.nist.gov/nistpubs/cswp/nist.cswp.04162018.pdf>. [↑](#footnote-ref-7)