

House Bill 578

By: Representatives Cheokas of the 151<sup>st</sup>, Greene of the 154<sup>th</sup>, Cannon of the 172<sup>nd</sup>, Smith of the 18<sup>th</sup>, Mathis of the 133<sup>rd</sup>, and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Part 4 of Article 2 of Chapter 5 of Title 46 of the Official Code of Georgia  
2 Annotated, relating to emergency telephone number 9-1-1 system, so as to provide for a  
3 \$1.50 increase in the monthly 9-1-1 charge assessed by local governments; to provide for a  
4 \$1.50 increase in the monthly wireless enhanced 9-1-1 charge assessed by local  
5 governments; to provide for a \$1.50 increase in the prepaid 9-1-1 charge assessed by local  
6 governments; to provide for related matters; to repeal conflicting laws; and for other  
7 purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Part 4 of Article 2 of Chapter 5 of Title 46 of the Official Code of Georgia Annotated,  
11 relating to emergency telephone number 9-1-1 system, is amended in Code Section 46-5-134,  
12 relating to billing of subscribers, liability of subscriber for service charge, taxes on service,  
13 establishment of Emergency Telephone System Fund, cost recovery fee, records, and use of  
14 funds, by revising subsection (a) as follows:

15 "(a)(1)(A)(i) Unless exempt, the telephone subscriber of any telephone service shall  
16 be billed for the monthly 9-1-1 charge, if any, imposed with respect to such telephone

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17 service by the service supplier. Beginning on July 1, 2025, such 9-1-1 charge shall  
18 be \$3.00 ~~Such 9-1-1 charge shall be \$1.50~~ per month per telephone service provided  
19 to the telephone subscriber except as reduced pursuant to paragraph (4) of subsection  
20 (d) of this Code section.

21 (ii) In computing the amount due under this subsection, the number of 9-1-1 charges  
22 a telephone subscriber shall be assessed shall not exceed the number of simultaneous  
23 outbound calls that can be made from voice channels the service supplier has  
24 activated and enabled. For telephone service that provides to multiple locations  
25 shared simultaneous outbound voice channel capacity configured to and capable of  
26 accessing a 9-1-1 system in different states, the monthly 9-1-1 charge shall be  
27 assessed only for the portion of such shared voice channel capacity in this state as  
28 identified by the service supplier's books and records. In determining the portion of  
29 shared capacity in this state, a service supplier may rely on, among other factors, a  
30 customer's certification of its allocation of capacity in this state, which may be based  
31 on each end user location, the total number of end users, and the number of end users  
32 at each end user location.

33 (B) All telephone services billed to federal, state, or local governments shall be exempt  
34 from the 9-1-1 charge. Each service supplier shall, on behalf of the local government,  
35 collect the 9-1-1 charge from those telephone subscribers to whom it provides  
36 telephone service in the area served by the emergency 9-1-1 system. As part of its  
37 normal billing process, the service supplier shall collect the 9-1-1 charge for each  
38 month a telephone service is in service, and it shall list the 9-1-1 charge as a separate  
39 entry on each bill. Nothing in this Code section shall be construed to require a service  
40 supplier to list the 9-1-1 charge as a surcharge or separate entry on each bill. Service  
41 suppliers that do not list the 9-1-1 charge as a separate entry on each bill shall remit the  
42 9-1-1 charge for each telephone subscriber that pays the bill; provided, however, that  
43 this information shall be maintained in a form auditors can access. If a service supplier

44 receives a partial payment for a bill from a telephone subscriber, the service supplier  
45 shall apply the payment against the amount the telephone subscriber owes the service  
46 supplier first.

47 (C) This paragraph shall not apply to wireless service or prepaid wireless service or the  
48 telephone subscribers or service suppliers of such services.

49 (2)(A) If the governing body of a local government operates or contracts for the  
50 operation of a public safety answering point that is capable of providing or provides  
51 automatic number identification of a wireless telecommunications connection and the  
52 location of the base station or cell site which receives a 9-1-1 call from a wireless  
53 telecommunications connection, the subscriber of a wireless telecommunications  
54 connection whose place of primary use is within the geographic area that is served by  
55 the local government or that would be served by the local government for the purpose  
56 of such a public safety answering point may be billed for the monthly wireless  
57 enhanced 9-1-1 charge, if any, imposed with respect to that connection by the wireless  
58 service supplier. Beginning on July 1, 2025, such wireless enhanced 9-1-1 charge shall  
59 be \$3.00 ~~Such wireless enhanced 9-1-1 charge shall be \$1.50~~ per month per wireless  
60 telecommunications connection provided to the telephone subscriber except as  
61 otherwise provided in paragraph (4) of subsection (d) of this Code section.

62 (B) If the governing body of a local government operates or contracts for the operation  
63 of an emergency 9-1-1 system which is capable of providing or provides automatic  
64 number identification and automatic location identification of a wireless  
65 telecommunications connection, the subscriber of a wireless telecommunications  
66 connection whose place of primary use is within the geographic area that is served by  
67 the local government or that would be served by the local government for the purpose  
68 of such an emergency 9-1-1 system may be billed for the monthly wireless enhanced  
69 9-1-1 charge, if any, imposed with respect to that connection by the wireless service  
70 supplier. Such wireless enhanced 9-1-1 charge may not exceed the amount of the

71 monthly 9-1-1 charge imposed upon other telephone subscribers pursuant to  
72 paragraph (1) of this subsection and shall be imposed on a monthly basis for each  
73 wireless telecommunications connection provided to the telephone subscriber.

74 (C) All wireless telecommunications connections billed to federal, state, or local  
75 governments shall be exempt from the wireless enhanced 9-1-1 charge. Each wireless  
76 service supplier shall, on behalf of the local government, collect the wireless enhanced  
77 9-1-1 charge from those telephone subscribers whose place of primary use is within the  
78 geographic area that is served by the local government or that would be served by the  
79 local government for the purpose of such an emergency 9-1-1 system. As part of its  
80 normal billing process, the wireless service supplier shall collect the wireless enhanced  
81 9-1-1 charge for each month a wireless telecommunications connection is in service,  
82 and it may list the wireless enhanced 9-1-1 charge as a separate entry on each bill.  
83 Nothing in this Code section shall be construed to require a wireless service supplier  
84 to list the 9-1-1 charge as a separate entry on each bill. Wireless service suppliers that  
85 do not list the 9-1-1 charge as a separate entry on each bill shall remit the 9-1-1 charge  
86 for each telephone subscriber that pays the bill; provided, however, that this  
87 information shall be maintained in a form auditors can access. If a wireless service  
88 supplier receives partial payment for a bill from a telephone subscriber, the wireless  
89 service supplier shall apply the payment against the amount the telephone subscriber  
90 owes the wireless service supplier first.

91 (D) Notwithstanding the foregoing, the application of any 9-1-1 service charge with  
92 respect to a mobile telecommunications service, as defined in 4 U.S.C. Section 124(7),  
93 shall be governed by the provisions of Code Section 48-8-6.

94 (E) This paragraph shall not apply to prepaid wireless service or the telephone  
95 subscribers or service suppliers of such service."

96 **SECTION 2.**

97 Said part is further amended in Code Section 46-5-134.2, relating to prepaid wireless 9-1-1  
98 charge, definitions, imposition of fee by localities, collection and remission of charges, and  
99 distribution of funds, by revising subsection (b) as follows:

100 "(b)(1) Counties and municipalities that operate a 9-1-1 public safety answering point,  
101 including counties and municipalities that operate multijurisdictional or regional 9-1-1  
102 systems or have created a joint authority pursuant to Code Section 46-5-138, are  
103 authorized to impose by ordinance or resolution a prepaid wireless 9-1-1 charge in the  
104 amount of ~~\$1.50~~ \$3.00 per retail transaction. Imposition of the charge authorized by this  
105 Code section by a county or municipality shall be contingent upon compliance with the  
106 requirements of paragraph (1) of subsection (j) of this Code section. Any charge imposed  
107 by ordinance pursuant to this subsection prior to July 1, 2025, shall, beginning on  
108 July 1, 2025, be in the amount of \$3.00.

109 (2) Where a county or municipality that operates a 9-1-1 public safety answering point  
110 fails to comply with the requirements of paragraph (1) of subsection (j) of this Code  
111 section by December 31, 2011, on and after that date, the prepaid wireless 9-1-1 charge  
112 authorized by paragraph (1) of this subsection shall be imposed within the jurisdiction of  
113 such counties and municipalities as a state fee for state purposes."

114 **SECTION 3.**

115 All laws and parts of laws in conflict with this Act are repealed.