

Chapter 76

(Senate Bill 252)

AN ACT concerning

Public Safety – 9–1–1 Trust Fund – Alterations

FOR the purpose of altering the 9–1–1 Trust Fund to authorize the use of certain allocated funds for the payment of the salary of certain personnel; and generally relating to the 9–1–1 Trust Fund.

BY repealing and reenacting, with amendments,
 Article – Public Safety
 Section 1–308 and 1–309
 Annotated Code of Maryland
 (2022 Replacement Volume and 2023 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
 That the Laws of Maryland read as follows:

Article – Public Safety

1–308.

(a) There is a 9–1–1 Trust Fund.

(b) (1) Except as provided in paragraph (2) of this subsection and subject to § 1–309.1 of this subtitle, the purposes of the 9–1–1 Trust Fund are to:

(i) reimburse counties for the cost of enhancing a 9–1–1 system;

(ii) pay contractors in accordance with § 1–306(b)(12) of this subtitle;

and

(iii) fund the coordinator position and staff to handle the increased duties related to wireless enhanced 9–1–1 service under § 1–305 of this subtitle, as an administrative cost.

(2) Subject to paragraph (3) of this subsection, in addition to the purposes described under paragraph (1) of this subsection, the purposes of the 9–1–1 Trust Fund include funding:

(i) the operation and maintenance of 9–1–1 systems, enhanced 9–1–1 systems, and Next Generation 9–1–1 services, including:

1. equipment and software utilized directly for providing

9–1–1 services by a public safety answering point;

2. protocol systems and software utilized directly for providing 9–1–1 services by a public safety answering point;

3. interpretation services provided for a public safety answering point;

4. services provided for a public safety answering point to ensure improved access to individuals with disabilities and other individuals who use assistive technology; and

5. voice, data, and call log recorders utilized to capture information from 9–1–1 systems, enhanced 9–1–1 systems, and Next Generation 9–1–1 services;

(ii) the operation and maintenance of 9–1–1 systems, enhanced 9–1–1 systems, and Next Generation 9–1–1 services connectivity and infrastructure equipment, including:

1. automatic number and location identification; and

2. Primary Rate Interface and Session Initiation Protocol trunking for 10–digit emergency and nonemergency lines;

(iii) geographical information systems hardware, software, data development, and data management costs incurred for the effective operation of 9–1–1 systems, enhanced 9–1–1 systems, and Next Generation 9–1–1 services, including:

1. mapping equipment;

2. interfaces to computer–aided dispatch; and

3. geographical information systems base layer development and management;

(iv) public safety answering point facilities costs, including access control, security systems, and standby power;

(v) costs for public education materials;

(vi) the training of county personnel working in or directly supporting a public safety answering point;

(vii) the provision of tuition reimbursement for 9–1–1 specialists for educational programs related to the 9–1–1 specialist career field;

(viii) costs to maintain the cybersecurity of 9-1-1 systems, enhanced 9-1-1 systems, and Next Generation 9-1-1 services; and

(ix) costs of 9-1-1 specialist recruitment activities as described in § 1-306(b)(17) of this subtitle.

(3) Funding allocated in accordance with paragraph (2) of this subsection may not be utilized for[:

(i) the payment of the salary of public safety answering point personnel or county personnel; or

(ii)] any purpose associated with the 9-8-8 suicide prevention hotline.

(c) The 9-1-1 Trust Fund consists of:

(1) money from the 9-1-1 fee collected and remitted to the Comptroller under § 1-310 of this subtitle;

(2) money from the additional charge collected and remitted to the Comptroller under § 1-311 of this subtitle;

(3) money from the prepaid wireless E 9-1-1 fee collected and remitted to the Comptroller under § 1-313 of this subtitle; and

(4) investment earnings of the 9-1-1 Trust Fund.

(d) Money in the 9-1-1 Trust Fund shall be held in the State Treasury.

(e) The Secretary shall administer the 9-1-1 Trust Fund, subject to the guidelines for financial management and budgeting established by the Department of Budget and Management.

(f) The Secretary shall direct the Comptroller to establish separate accounts in the 9-1-1 Trust Fund for the payment of administrative expenses and for each county.

(g) (1) Any investment earnings shall be credited to the 9-1-1 Trust Fund.

(2) The Comptroller shall allocate the investment income among the accounts in the 9-1-1 Trust Fund, prorated on the basis of the total fees collected in each county.

1-309.

(a) On recommendation of the Board, each year the Secretary shall request an appropriation from the 9–1–1 Trust Fund in an amount sufficient to:

- (1) carry out the purposes of this subtitle;
- (2) pay the administrative costs chargeable to the 9–1–1 Trust Fund; and
- (3) reimburse counties for the cost of enhancing a 9–1–1 system.

(b) (1) Subject to the limitations under subsection (e) of this section, the Comptroller shall disburse the money in the 9–1–1 Trust Fund as provided in this subsection.

(2) Each July 1, the Comptroller shall allocate sufficient money from the State 9–1–1 fee to pay the costs of administering the 9–1–1 Trust Fund.

(3) As directed by the Secretary and in accordance with the State budget, the Comptroller, from the appropriate account, shall:

- (i) reimburse counties for the cost of enhancing a 9–1–1 system;
- (ii) pay contractors in accordance with § 1–306(b)(12) of this subtitle;

and

(iii) pay the costs associated with maintenance, operations, and programs approved by the Board in accordance with § 1–308(b) of this subtitle.

(4) (i) The Comptroller shall pay to each county from its account the money requested by the county to pay the maintenance and operation costs of the county’s 9–1–1 system in accordance with the State budget.

(ii) The Comptroller shall pay the money for maintenance and operation costs on September 30, December 31, March 31, and June 30 of each year.

(c) (1) Money accruing to the 9–1–1 Trust Fund may be used as provided in this subsection.

(2) Money collected from the State 9–1–1 fee may be used only to:

- (i) pay the administrative costs chargeable to the 9–1–1 Trust Fund;
- (ii) reimburse counties for the cost of enhancing a 9–1–1 system;
- (iii) pay contractors in accordance with § 1–306(b)(12) of this subtitle;

and

(iv) pay the costs associated with maintenance, operations, and programs approved by the Board in accordance with § 1-308(b) of this subtitle.

(3) MONEY COLLECTED FROM THE STATE 9-1-1 FEE MAY NOT BE UTILIZED FOR THE PAYMENT OF THE SALARY OF PUBLIC SAFETY ANSWERING POINT PERSONNEL OR COUNTY PERSONNEL.

(4) Money collected from the county 9-1-1 fee may be used by the counties only for the maintenance and operation costs of the 9-1-1 system.

[(4)] (5) Money collected from the prepaid wireless E 9-1-1 fee shall be used as follows:

(i) 25% for the same purpose as the 9-1-1 fee under paragraph (2) of this subsection; and

(ii) 75% for the same purpose as the county 9-1-1 fee under paragraph **[(3)] (4)** of this subsection, prorated on the basis of the total fees collected in each county.

[(5)] (6) Money accruing to the 9-1-1 Trust Fund may not be used for:

(i) the maintenance or operation of communications centers other than public safety answering points; or

(ii) any purpose associated with the 9-8-8 suicide prevention hotline.

(d) (1) Reimbursement may be made only to the extent that county money was used to enhance the 9-1-1 system.

(2) Reimbursement for the enhancement of 9-1-1 systems shall include the installation of equipment for automatic number identification, automatic location identification, and other technological advancements that the Board requires.

(3) Reimbursement from money collected from the State 9-1-1 fee may be used only for 9-1-1 system enhancements approved by the Board.

(e) (1) The Board may direct the Comptroller to withhold from a county money for 9-1-1 system expenditures if the county violates this subtitle or a regulation of the Board.

(2) (i) The Board shall state publicly in writing its reason for withholding money from a county and shall record its reason in the minutes of the Board.

(ii) On reaching its decision to withhold money, the Board shall notify the county.

(iii) The county has 30 days after the date of notification to respond in writing to the Board.

(3) (i) On notification by the Board, the Comptroller shall hold money for the county in the county's account in the 9–1–1 Trust Fund.

(ii) Money held by the Comptroller under subparagraph (i) of this paragraph does not accrue interest for the county.

(iii) Interest income earned on money held by the Comptroller under subparagraph (i) of this paragraph accrues to the 9–1–1 Trust Fund.

(4) County money withheld by the Comptroller shall be withheld until the Board directs the Comptroller to release the money.

(f) (1) The Legislative Auditor may conduct fiscal/compliance audits of the 9–1–1 Trust Fund and of the appropriations and disbursements made for purposes of this subtitle.

(2) The cost of the fiscal portion of the audits shall be paid from the 9–1–1 Trust Fund as an administrative cost.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a ye and nay vote supported by three–fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted.

Approved by the Governor, April 9, 2024.