



2024 South Dakota Legislature
House Bill 1092
ENROLLED

AN ACT

ENTITLED An Act to revise provisions regarding the 911 emergency surcharge.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. That § 34-45-4 be AMENDED:

34-45-4. A monthly uniform 911 emergency surcharge of two dollars must be assessed per service user line. The proceeds of the 911 emergency surcharge must be used to pay for allowable nonrecurring and recurring costs of the 911 system. No 911 emergency surcharge may be imposed upon more than one hundred service user lines or equivalent service, per customer account billed, per month. In the case of multi-station network systems, the service user lines are equal to the number of calls that can simultaneously be made from the system to the public switched telephone network. No prepaid wireless telecommunications service is subject to the 911 emergency surcharge imposed under this section.

Section 2. That a NEW SECTION be added to chapter 34-45:

Each governing body of a public safety answering point shall submit an annual report to the board by July thirty-first of each year. The report must cover the period of July first through July first immediately preceding the report deadline and be available for public inspection. The annual report for each answering point must include the following:

- (1) Number of unique service calls made for ambulance, fire, and law enforcement;
- (2) Total number of employees;
- (3) Operational budget;
- (4) Total amount of dollars received by the 911 emergency surcharge pursuant to § 34-45-4 from each jurisdiction in the system;
- (5) Description of the geographic territory of the public safety answering point; and
- (6) Hours of operation for the public safety answering point.

The Department of Public Safety may promulgate rules, pursuant to chapter 1-26, to require additional information from a public safety answering point for the purposes of the annual report.

Section 3. That § 34-45-20 be AMENDED:

34-45-20. The board shall:

- (1) Evaluate all of the current public safety answering points and systems throughout the State of South Dakota for their capability to adequately and efficiently administer systems;
- (2) Develop plans for the implementation for a uniform statewide 911 system covering the entire state or so much as is practicable;
- (3) Monitor the number and location of public safety answering points or systems and the use of 911 emergency surcharge funds in their administrative and operational budgets;
- (4) Develop criteria and minimum standards for operating and financing public safety answering points or systems;
- (5) Develop criteria for the eligibility and amount of reimbursement of recurring and nonrecurring costs of public safety answering points or systems;
- (6) Develop criteria for the implementation of performance audits of the use of the 911 fees utilized in the operation of the 911 system. The audit shall be conducted by the Department of Legislative Audit and shall be presented to the board and the Legislature;
- (7) Report annually by August thirty-first to the Government Operations and Audit Committee about the operations and findings of the board, an assessment of operational efficiencies of each public safety answering point, and any recommendations for changes in the surcharges imposed by this chapter and the distribution of the revenue; and
- (8) Report annually to the Governor and the Legislature about the operations and findings of the board and any recommendations for changes to 911 service in the state.

Section 4. Section 1 of this Act expires on July 1, 2026.

An Act to revise provisions regarding the 911 emergency surcharge.

I certify that the attached Act originated in the:
House as Bill No. 1092

Received at this Executive Office this ____ day of _____, 2024 at _____ M.

Chief Clerk

By _____ for the Governor

Speaker of the House

The attached Act is hereby approved this _____ day of _____, A.D., 2024

Attest:

Chief Clerk

Governor

STATE OF SOUTH DAKOTA,

ss.

Office of the Secretary of State

President of the Senate

Attest:

Filed _____, 2024 at _____ o'clock __ M.

Secretary of the Senate

Secretary of State

House Bill No. 1092
File No. _____
Chapter No. _____

By _____
Asst. Secretary of State