

FIRST REGULAR SESSION

HOUSE BILL NO. 883

100TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE SWAN.

1919H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal sections 190.292, 190.335, 190.460, and 650.330, RSMo, and to enact in lieu thereof four new sections relating to emergency communication services.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Sections 190.292, 190.335, 190.460, and 650.330, RSMo, are repealed and
2 four new sections enacted in lieu thereof, to be known as sections 190.292, 190.335, 190.460,
3 and 650.330, to read as follows:

190.292. 1. In lieu of the tax levy authorized under section 190.305 for emergency
2 telephone services, the county commission of any county may impose a county sales tax for the
3 provision of central dispatching of fire protection, including law enforcement agencies,
4 emergency ambulance service or any other emergency services, including emergency telephone
5 services, which shall be collectively referred to herein as "emergency services", and which may
6 also include the purchase and maintenance of communications and emergency equipment,
7 including the operational costs associated therein, in accordance with the provisions of this
8 section.

9 2. Such county commission may, by a majority vote of its members, submit to the voters
10 of the county, at a public election, a proposal to authorize the county commission to impose a
11 tax under the provisions of this section. If the residents of the county present a petition signed
12 by a number of residents equal to ten percent of those in the county who voted in the most recent
13 gubernatorial election, then the commission shall submit such a proposal to the voters of the
14 county.

15 3. The ballot of submission shall be in substantially the following form:

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

16 Shall the county of _____ (insert name of county) impose a county sales tax of
17 _____ (insert rate of percent) percent for the purpose of providing central
18 dispatching of fire protection, emergency ambulance service, including
19 emergency telephone services, and other emergency services?

20 ☐ YES ☐ NO

21 If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor
22 of the proposal, then the ordinance shall be in effect as provided herein. If a majority of the votes
23 cast by the qualified voters voting are opposed to the proposal, then the county commission shall
24 have no power to impose the tax authorized by this section unless and until the county
25 commission shall again have submitted another proposal to authorize the county commission to
26 impose the tax under the provisions of this section, and such proposal is approved by a majority
27 of the qualified voters voting thereon.

28 4. The sales tax may be imposed at a rate not to exceed one percent on the receipts from
29 the sale at retail of all tangible personal property or taxable services at retail within any county
30 adopting such tax, if such property and services are subject to taxation by the state of Missouri
31 under the provisions of sections 144.010 to 144.525. The sales tax shall not be collected prior
32 to thirty-six months before operation of the central dispatching of emergency services.

33 5. Except as modified in this section, all provisions of sections 32.085 and 32.087 shall
34 apply to the tax imposed under this section.

35 6. Any tax imposed pursuant to section 190.305 shall terminate at the end of the tax year
36 in which the tax imposed pursuant to this section for emergency services is certified by the board
37 to be fully operational. Any revenues collected from the tax authorized under section 190.305
38 shall be credited for the purposes for which they were intended.

39 7. At least once each calendar year, the board, as established by subsection 11 of this
40 section, shall establish a tax rate, not to exceed the amount authorized, that together with any
41 surplus revenues carried forward will produce sufficient revenues to fund the expenditures
42 authorized by sections 190.290 to 190.296. Amounts collected in excess of that necessary within
43 a given year shall be carried forward to subsequent years. The board shall make its
44 determination of such tax rate each year no later than September first and shall fix the new rate
45 which shall be collected as provided in sections 190.290 to 190.296. Immediately upon making
46 its determination and fixing the rate, the board shall publish in its minutes the new rate, and it
47 shall notify every retailer by mail of the new rate.

48 8. Immediately upon the affirmative vote of voters of such a county on the ballot
49 proposal to establish a county sales tax pursuant to the provisions of this section, the county
50 commission shall appoint the initial members of a board to administer the funds and oversee the
51 provision of emergency services in the county. Beginning with the general election in 1994, all

52 board members shall be elected according to this section and other applicable laws of this state.
53 At the time of the appointment of the initial members of the board, the commission shall
54 relinquish and no longer exercise the duties prescribed in this chapter with regard to the
55 provision of emergency services and such duties shall be exercised by the board.

56 9. The initial board shall consist of seven members appointed without regard to political
57 affiliation, three of whom shall be selected from, and who shall represent, the fire protection
58 districts, ambulance districts, sheriff's department, municipalities, and any other emergency
59 services. Four of the members of the board shall not be selected from or represent the fire
60 protection districts, ambulance districts, sheriff's department, municipalities, or any other
61 emergency services. Any individual serving on the board on August 28, 2004, may continue to
62 serve and seek reelection or reappointment to the board, notwithstanding any provisions of this
63 subsection. This initial board shall serve until its successor board is duly elected and installed
64 in office. The commission shall ensure geographic representation of the county by appointing
65 no more than four members from each district of the county commission.

66 10. Beginning in 1994, three members shall be elected from each district of the county
67 commission and one member shall be elected at large. The members of the board shall annually
68 elect, from among their number, the chairman of the board. Of those first elected, four members
69 from districts of the county commission shall be elected for terms of two years and two members
70 from districts of the county commission and the member at large shall be elected for terms of
71 four years. In 1996, and thereafter, all terms of office shall be four years. The election of the
72 board members shall be conducted at the first municipal election held in a calendar year.

73 11. When the board is organized, it shall be a body corporate and a political subdivision
74 of the state and shall be known as the "_____ Emergency Services Board".

75 12. This section shall only apply to any county of the third classification without a
76 township form of government and with more than twenty-four thousand five hundred but less
77 than twenty-four thousand six hundred inhabitants.

78 **13. A purchase for each item that provides wireless telecommunications service, as**
79 **such term is defined in section 190.460, is specifically exempted from the tax imposed**
80 **under this section or section 190.335 if such county did not prohibit the prepaid wireless**
81 **emergency telephone service charge as allowed in subsection 6 of section 190.460 or takes**
82 **a vote to impose the prepaid wireless emergency telephone service charge as allowed under**
83 **subsection 7 of section 190.460.**

190.335. 1. In lieu of the tax levy authorized under section 190.305 for emergency
2 telephone services, the county commission of any county may impose a county sales tax for the
3 provision of central dispatching of fire protection, including law enforcement agencies,
4 emergency ambulance service or any other emergency services, including emergency telephone

5 services, which shall be collectively referred to herein as "emergency services", and which may
6 also include the purchase and maintenance of communications and emergency equipment,
7 including the operational costs associated therein, in accordance with the provisions of this
8 section.

9 2. Such county commission may, by a majority vote of its members, submit to the voters
10 of the county, at a public election, a proposal to authorize the county commission to impose a
11 tax under the provisions of this section. If the residents of the county present a petition signed
12 by a number of residents equal to ten percent of those in the county who voted in the most recent
13 gubernatorial election, then the commission shall submit such a proposal to the voters of the
14 county.

15 3. The ballot of submission shall be in substantially the following form:
16 Shall the county of _____ (insert name of county) impose a county sales tax of
17 _____ (insert rate of percent) percent for the purpose of providing central
18 dispatching of fire protection, emergency ambulance service, including
19 emergency telephone services, and other emergency services?

20 ☐ YES ☐ NO

21 If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor
22 of the proposal, then the ordinance shall be in effect as provided herein. If a majority of the votes
23 cast by the qualified voters voting are opposed to the proposal, then the county commission shall
24 have no power to impose the tax authorized by this section unless and until the county
25 commission shall again have submitted another proposal to authorize the county commission to
26 impose the tax under the provisions of this section, and such proposal is approved by a majority
27 of the qualified voters voting thereon.

28 4. The sales tax may be imposed at a rate not to exceed one percent on the receipts from
29 the sale at retail of all tangible personal property or taxable services at retail within any county
30 adopting such tax, if such property and services are subject to taxation by the state of Missouri
31 under the provisions of sections 144.010 to 144.525. The sales tax shall not be collected prior
32 to thirty-six months before operation of the central dispatching of emergency services.

33 5. Except as modified in this section, all provisions of sections 32.085 and 32.087 shall
34 apply to the tax imposed under this section.

35 6. Any tax imposed pursuant to section 190.305 shall terminate at the end of the tax year
36 in which the tax imposed pursuant to this section for emergency services is certified by the board
37 to be fully operational. Any revenues collected from the tax authorized under section 190.305
38 shall be credited for the purposes for which they were intended.

39 7. At least once each calendar year, the board shall establish a tax rate, not to exceed the
40 amount authorized, that together with any surplus revenues carried forward will produce

41 sufficient revenues to fund the expenditures authorized by this act. Amounts collected in excess
42 of that necessary within a given year shall be carried forward to subsequent years. The board
43 shall make its determination of such tax rate each year no later than September first and shall fix
44 the new rate which shall be collected as provided in this act. Immediately upon making its
45 determination and fixing the rate, the board shall publish in its minutes the new rate, and it shall
46 notify every retailer by mail of the new rate.

47 8. Immediately upon the affirmative vote of voters of such a county on the ballot
48 proposal to establish a county sales tax pursuant to the provisions of this section, the county
49 commission shall appoint the initial members of a board to administer the funds and oversee the
50 provision of emergency services in the county. Beginning with the general election in 1994, all
51 board members shall be elected according to this section and other applicable laws of this state.
52 At the time of the appointment of the initial members of the board, the commission shall
53 relinquish and no longer exercise the duties prescribed in this chapter with regard to the
54 provision of emergency services and such duties shall be exercised by the board.

55 9. The initial board shall consist of seven members appointed without regard to political
56 affiliation, who shall be selected from, and who shall represent, the fire protection districts,
57 ambulance districts, sheriff's department, municipalities, any other emergency services and the
58 general public. This initial board shall serve until its successor board is duly elected and
59 installed in office. The commission shall ensure geographic representation of the county by
60 appointing no more than four members from each district of the county commission.

61 10. Beginning in 1994, three members shall be elected from each district of the county
62 commission and one member shall be elected at large, such member to be the chairman of the
63 board. Of those first elected, four members from districts of the county commission shall be
64 elected for terms of two years and two members from districts of the county commission and the
65 member at large shall be elected for terms of four years. In 1996, and thereafter, all terms of
66 office shall be four years; provided that, if a board established under this section consolidates
67 with a board established under this section, section 190.327, or section 190.328, under the
68 provisions of section 190.470, the term of office for the existing board members shall end on the
69 thirtieth day following the appointment of the initial board of directors for the consolidated
70 district. Notwithstanding any other provision of law, if there is no candidate for an open position
71 on the board, then no election shall be held for that position and it shall be considered vacant,
72 to be filled pursuant to the provisions of section 190.339, and, if there is only one candidate for
73 each open position, no election shall be held and the candidate or candidates shall assume office
74 at the same time and in the same manner as if elected.

75 11. Notwithstanding the provisions of subsections 8 to 10 of this section to the contrary,
76 in any county of the first classification with more than two hundred forty thousand three hundred

77 but fewer than two hundred forty thousand four hundred inhabitants or in any county of the third
78 classification with a township form of government and with more than twenty-eight thousand
79 but fewer than thirty-one thousand inhabitants or in any county of the third classification without
80 a township form of government and with more than thirty-seven thousand but fewer than
81 forty-one thousand inhabitants and with a city of the fourth classification with more than four
82 thousand five hundred but fewer than five thousand inhabitants as the county seat, any
83 emergency telephone service 911 board appointed by the county under section 190.309 which
84 is in existence on the date the voters approve a sales tax under this section shall continue to exist
85 and shall have the powers set forth under section 190.339. Such boards which existed prior to
86 August 25, 2010, shall not be considered a body corporate and a political subdivision of the state
87 for any purpose, unless and until an order is entered upon an unanimous vote of the
88 commissioners of the county in which such board is established reclassifying such board as a
89 corporate body and political subdivision of the state. The order shall approve the transfer of the
90 assets and liabilities related to the operation of the emergency telephone service 911 system to
91 the new entity created by the reclassification of the board.

92 12. (1) Notwithstanding the provisions of subsections 8 to 10 of this section to the
93 contrary, in any county of the second classification with more than fifty-four thousand two
94 hundred but fewer than fifty-four thousand three hundred inhabitants or any county of the first
95 classification with more than fifty thousand but fewer than seventy thousand inhabitants that has
96 approved a sales tax under this section, the county commission shall appoint the members of the
97 board to administer the funds and oversee the provision of emergency services in the county.

98 (2) The board shall consist of seven members appointed without regard to political
99 affiliation. Except as provided in subdivision (4) of this subsection, each member shall be one
100 of the following:

- 101 (a) The head of any of the county's fire protection districts, or a designee;
- 102 (b) The head of any of the county's ambulance districts, or a designee;
- 103 (c) The county sheriff, or a designee;
- 104 (d) The head of any of the police departments in the county, or a designee; and
- 105 (e) The head of any of the county's emergency management organizations, or a designee.

106 (3) Upon the appointment of the board under this subsection, the board shall have the
107 power provided in section 190.339 and shall exercise all powers and duties exercised by the
108 county commission under this chapter, and the commission shall relinquish all powers and duties
109 relating to the provision of emergency services under this chapter to the board.

110 (4) In any county of the first classification with more than fifty thousand but fewer than
111 seventy thousand inhabitants, each of the entities listed in subdivision (2) of this subsection shall
112 be represented on the board by at least one member.

113 (5) In any county with more than fifty thousand but fewer than seventy thousand
114 inhabitants and with a county seat with more than two thousand one hundred but fewer than two
115 thousand four hundred inhabitants, the entities listed in subdivision (2) of this subsection shall
116 be represented by one member, and two members shall be residents of the county not affiliated
117 with any of the entities listed in subdivision (2) of this subsection and shall be known as public
118 members.

119 13. Any county that has authorized a tax levy under this section, and such levy is reduced
120 automatically in future years, shall not submit to the voters of the county for approval any
121 proposal authorized under this section that is greater than the amount at the time of reduction.
122 **This subsection shall not apply to a county of the first classification without a charter form**
123 **of government and with less than five percent of its population living in any home rule city**
124 **with more than four hundred thousand inhabitants and located in more than one county.**

125 14. **If a county has imposed a county sales tax under this section and the county has**
126 **an elected emergency services board, such board shall be the governing body that takes the**
127 **vote set forth in subsection 7 of section 190.460.**

128 15. **A purchase for each item that provides wireless telecommunications service, as**
129 **such term is defined in section 190.460, is specifically exempted from the tax imposed**
130 **under this section or section 190.292 if such county did not prohibit the prepaid wireless**
131 **emergency telephone service charge as allowed in subsection 6 of section 190.460 or takes**
132 **a vote to impose the prepaid wireless emergency telephone service charge as allowed under**
133 **subsection 7 of section 190.460.**

190.460. 1. As used in this section, the following terms mean:

2 (1) "Board", the Missouri 911 service board established under section 650.325;

3 (2) "Consumer", a person who purchases prepaid wireless telecommunications service
4 in a retail transaction;

5 (3) "Department", the department of revenue;

6 (4) "Prepaid wireless service provider", a provider that provides prepaid wireless service
7 to an end user;

8 (5) "Prepaid wireless telecommunications service", a wireless telecommunications
9 service that allows a caller to dial 911 to access the 911 system and which service shall be paid
10 for in advance and is sold in predetermined units or dollars of which the number declines with
11 use in a known amount;

12 (6) "Retail transaction", the purchase of prepaid wireless telecommunications service
13 from a seller for any purpose other than resale. The purchase of more than one item that provides
14 prepaid wireless telecommunication service, when such items are sold separately, constitutes
15 more than one retail transaction;

16 (7) "Seller", a person who sells prepaid wireless telecommunications service to another
17 person;

18 (8) "Wireless telecommunications service", commercial mobile radio service as defined
19 by 47 CFR 20.3, as amended.

20 2. (1) Beginning January 1, 2019, there is hereby imposed a prepaid wireless emergency
21 telephone service charge on each retail transaction. The amount of such charge shall be equal
22 to three percent of the amount of each retail transaction over the minimal amount. However, if
23 a minimal amount of prepaid wireless telecommunications service is sold with a prepaid wireless
24 device for a single nonitemized price, the seller may elect not to apply such service charge to
25 such transaction. For purposes of this subdivision, an amount of service denominated as less
26 than ~~[fifteen]~~ five dollars or ten minutes is minimal. **The first fifteen dollars of each retail**
27 **transaction shall not be subject to the service charge.**

28 (2) **When prepaid wireless telecommunications service is sold with one or more**
29 **products or services for a single, non-itemized price, the prepaid wireless emergency**
30 **telephone service charge set forth in subdivision (1) of this subsection shall apply to the**
31 **entire non-itemized price unless the seller elects to apply such service charge in the**
32 **following way:**

33 (a) **If the amount of the prepaid wireless telecommunications service is disclosed**
34 **to the consumer as a dollar amount, such dollar amount; or**

35 (b) **If the seller can identify the portion of the price that is attributable to the**
36 **prepaid wireless telecommunications service by reasonable and verifiable standards from**
37 **the seller's books and records that are kept in the regular course of business for other**
38 **purposes including, but not limited to non-tax purposes, such portion;**

39 (3) The prepaid wireless emergency telephone service charge shall be collected by the
40 seller from the consumer with respect to each retail transaction occurring in this state. The
41 amount of the prepaid wireless emergency telephone service charge shall be either separately
42 stated on an invoice, receipt, or other similar document that is provided to the consumer by the
43 seller or otherwise disclosed to the consumer.

44 ~~[(3)]~~ (4) For purposes of this subsection, a retail transaction that is effected in person
45 by a consumer at a business location of the seller shall be treated as occurring in this state if that
46 business location is in this state, and any other retail transaction shall be treated as occurring in
47 this state if the retail transaction is treated as occurring ~~[in this state under state]~~ **under chapter**
48 **144 or under the compensating use tax law.**

49 ~~[(4)]~~ (5) The prepaid wireless emergency telephone service charge is the liability of the
50 consumer and not of the seller or of any provider; except that, the seller shall be liable to remit
51 all charges that the seller **collects or** is deemed to collect ~~[if the amount of the charge has not~~

52 ~~been separately stated on an invoice, receipt, or other similar document provided to the consumer~~
53 ~~by the seller].~~

54 ~~[(5)]~~ (6) The amount of the prepaid wireless emergency telephone service charge that
55 is collected by a seller from a consumer, if such amount is separately stated on an invoice,
56 receipt, or other similar document provided to the consumer by the seller, shall not be included
57 in the base for measuring any tax, fee, surcharge, or other charge that is imposed by this state,
58 any political subdivision of this state, or any intergovernmental agency.

59 3. (1) Prepaid wireless emergency telephone service charges collected by sellers shall
60 be remitted to the department at the times and in the manner provided by state law with respect
61 to sales and use taxes. The department shall establish registration and payment procedures that
62 substantially coincide with the registration and payment procedures that apply under state law.
63 **On or after the effective date of the service charge imposed under the provisions of this**
64 **section, the director of the department of revenue shall perform all functions incident to**
65 **the administration, collection, enforcement, and operation of the service charge, and the**
66 **director shall collect, in addition to the sales tax for the state of Missouri, all additional**
67 **service charges imposed in this section. All service charges imposed under this section**
68 **together with all taxes imposed under the sales tax law of the state of Missouri shall be**
69 **collected together and reported upon such forms and under such administrative rules and**
70 **regulations as may be prescribed by the director. All applicable provisions contained in**
71 **sections 144.010 to 144.525 governing the state sales tax and section 32.057, the uniform**
72 **confidentiality provision, shall apply to the collection of any service charges imposed under**
73 **this section except as modified.**

74 (2) Beginning on January 1, 2019, and ending on January 31, 2019, when a consumer
75 purchases prepaid wireless telecommunications service in a retail transaction from a seller under
76 this section, the seller shall be allowed to retain one hundred percent of the prepaid wireless
77 emergency telephone service charges that are collected by the seller from the consumer.
78 Beginning on February 1, 2019, a seller shall be permitted to deduct and retain three percent of
79 prepaid wireless emergency telephone service charges that are collected by the seller from
80 consumers.

81 (3) The department shall establish procedures by which a seller of prepaid wireless
82 telecommunications service may document that a sale is not a retail transaction, which
83 procedures shall substantially coincide with the procedures for documenting sale for resale
84 transactions for sales and use purposes under state law.

85 (4) The department shall deposit all remitted prepaid wireless emergency telephone
86 service charges into the general revenue fund for the department's use until eight hundred
87 thousand one hundred fifty dollars is collected to reimburse its direct costs of administering the

88 collection and remittance of prepaid wireless emergency telephone service charges. From then
89 onward, the department shall deposit all remitted prepaid wireless emergency telephone service
90 charges into the Missouri 911 service trust fund created under section 190.420 within thirty days
91 of receipt for use by the board. After the initial eight hundred thousand one hundred fifty dollars
92 is collected, the department may deduct an amount not to exceed one percent of collected charges
93 to be retained by the department to reimburse its direct costs of administering the collection and
94 remittance of prepaid wireless emergency telephone service charges.

95 (5) The board shall set a rate between twenty-five and one hundred percent of the prepaid
96 wireless emergency telephone service charges deposited in the Missouri 911 service trust fund
97 collected in counties without a charter form of government, less the deductions authorized in
98 subdivision (4) of this subsection, that shall be remitted to such counties in direct proportion to
99 the amount of charges collected in each county. The board shall set a rate between sixty-five and
100 one hundred percent of the prepaid wireless emergency telephone service charges deposited in
101 the Missouri 911 service trust fund collected in counties with a charter form of government and
102 any city not within a county, less the deductions authorized in subdivision (4) of this subsection,
103 that shall be remitted to each such county or city not within a county in direct proportion to the
104 amount of charges collected in each such county or city not within a county. The initial
105 percentage rate set by the board for counties with and without a charter form of government and
106 any city not within a county **shall be set by June thirtieth of each applicable year and** may
107 be adjusted ~~[after three years, and thereafter the rate may be adjusted every two]~~ **annually for**
108 **the first three years, and thereafter the rate may be adjusted every three years;** however,
109 at no point shall the board set rates that fall below twenty-five percent for counties without a
110 charter form of government and sixty-five percent for counties with a charter form of
111 government and any city not within a county.

112 (6) Any amounts received by a county or city under subdivision (5) of this subsection
113 shall be used only for purposes authorized in sections 190.305, 190.325, and 190.335. Any
114 amounts received by any county with a charter form of government and with more than six
115 hundred thousand but fewer than seven hundred thousand inhabitants under this section may be
116 used for emergency service notification systems.

117 4. (1) A seller that is not a provider shall be entitled to the immunity and liability
118 protections under section 190.455, notwithstanding any requirement in state law regarding
119 compliance with Federal Communications Commission Order 05-116.

120 (2) A provider shall be entitled to the immunity and liability protections under section
121 190.455.

122 (3) In addition to the protection from liability provided in subdivisions (1) and (2) of this
123 subsection, each provider and seller and its officers, employees, assigns, agents, vendors, or

anyone acting on behalf of such persons shall be entitled to the further protection from liability, if any, that is provided to providers and sellers of wireless telecommunications service that is not prepaid wireless telecommunications service under section 190.455.

5. The prepaid wireless emergency telephone service charge imposed by this section **for each item that provides prepaid wireless telecommunications service** shall be in addition to any other tax, fee, surcharge, or other charge imposed by this state, any political subdivision of this state, or any intergovernmental agency for 911 funding purposes~~[, except that such prepaid wireless emergency telephone service charge shall be charged in lieu of, and not imposed in addition to, any tax imposed under section 190.292 or 190.335].~~

6. The provisions of this section shall become effective unless the governing body of a county or city adopts an ordinance, order, rule, resolution, or regulation by at least a two-thirds vote prohibiting the charge established under this section from becoming effective in the county or city at least forty-five days prior to the effective date of this section. If the governing body does adopt such ordinance, order, rule, resolution, or regulation by at least a two-thirds vote, the charge shall not be collected and the county or city shall not be allowed to obtain funds from the Missouri 911 service trust fund that are remitted to the fund under the charge established under this section. The Missouri 911 service board shall, by September 1, 2018, notify all counties and cities of the implementation of the charge established under this section, and the procedures set forth under this subsection for prohibiting the charge from becoming effective.

7. **Any county or city which prohibited the prepaid wireless emergency telephone service charge pursuant to the provisions of subsection 6 of this section may take a vote of the governing body, and notify the department of revenue of the result of such vote, by November 15, 2019, to impose such charge effective January 1, 2020. A vote of at least two-thirds of the governing body is required in order to impose such charge. The department shall notify the board of these changes by December 1, 2019.**

8. **The prepaid wireless emergency telephone service charge imposed by this section shall expire on January 1, [2023] 2024.**

650.330. 1. The board shall consist of fifteen members, one of which shall be chosen from the department of public safety, and the other members shall be selected as follows:

(1) One member chosen to represent an association domiciled in this state whose primary interest relates to municipalities;

(2) One member chosen to represent the Missouri 911 Directors Association;

(3) One member chosen to represent emergency medical services and physicians;

(4) One member chosen to represent an association with a chapter domiciled in this state whose primary interest relates to a national emergency number;

9 (5) One member chosen to represent an association whose primary interest relates to
10 issues pertaining to fire chiefs;

11 (6) One member chosen to represent an association with a chapter domiciled in this state
12 whose primary interest relates to issues pertaining to public safety communications officers;

13 (7) One member chosen to represent an association whose primary interest relates to
14 issues pertaining to police chiefs;

15 (8) One member chosen to represent an association domiciled in this state whose primary
16 interest relates to issues pertaining to sheriffs;

17 (9) One member chosen to represent counties of the second, third, and fourth
18 classification;

19 (10) One member chosen to represent counties of the first classification, counties with
20 a charter form of government, and cities not within a county;

21 (11) One member chosen to represent telecommunications service providers;

22 (12) One member chosen to represent wireless telecommunications service providers;

23 (13) One member chosen to represent voice over internet protocol service providers; and

24 (14) One member chosen to represent the governor's council on disability established
25 under section 37.735.

26 2. Each of the members of the board shall be appointed by the governor with the advice
27 and consent of the senate for a term of four years. Members of the committee may serve multiple
28 terms. No corporation or its affiliate shall have more than one officer, employee, assign, agent,
29 or other representative serving as a member of the board. Notwithstanding subsection 1 of this
30 section to the contrary, all members appointed as of August 28, 2017, shall continue to serve the
31 remainder of their terms.

32 3. The board shall meet at least quarterly at a place and time specified by the chairperson
33 of the board and it shall keep and maintain records of such meetings, as well as the other
34 activities of the board. Members shall not be compensated but shall receive actual and necessary
35 expenses for attending meetings of the board.

36 4. The board shall:

37 (1) Organize and adopt standards governing the board's formal and informal procedures;

38 (2) Provide recommendations for primary answering points and secondary answering
39 points on technical and operational standards for 911 services;

40 (3) Provide recommendations to public agencies concerning model systems to be
41 considered in preparing a 911 service plan;

42 (4) Provide requested mediation services to political subdivisions involved in
43 jurisdictional disputes regarding the provision of 911 services, except that the board shall not
44 supersede decision-making authority of local political subdivisions in regard to 911 services;

- 45 (5) Provide assistance to the governor and the general assembly regarding 911 services;
- 46 (6) Review existing and proposed legislation and make recommendations as to changes
- 47 that would improve such legislation;
- 48 (7) Aid and assist in the timely collection and dissemination of information relating to
- 49 the use of a universal emergency telephone number;
- 50 (8) Perform other duties as necessary to promote successful development,
- 51 implementation and operation of 911 systems across the state, including monitoring federal and
- 52 industry standards being developed for next-generation 911 systems;
- 53 (9) Designate a state 911 coordinator who shall be responsible for overseeing statewide
- 54 911 operations and ensuring compliance with federal grants for 911 funding;
- 55 (10) Elect the chair from its membership;
- 56 (11) Apply for and receive grants from federal, private, and other sources;
- 57 (12) Report to the governor and the general assembly at least every three years on the
- 58 status of 911 services statewide, as well as specific efforts to improve efficiency,
- 59 cost-effectiveness, and levels of service;
- 60 (13) Conduct and review an annual survey of public safety answering points in Missouri
- 61 to evaluate potential for improved services, coordination, and feasibility of consolidation;
- 62 (14) Make and execute contracts or any other instruments and agreements necessary or
- 63 convenient for the exercise of its powers and functions, including for the development and
- 64 implementation of an emergency services internet protocol network that can be shared by all
- 65 public safety agencies;
- 66 (15) Develop a plan and timeline of target dates for the testing, implementation, and
- 67 operation of a next-generation 911 system throughout Missouri. The next-generation 911 system
- 68 shall allow for the processing of electronic messages including, but not limited to, electronic
- 69 messages containing text, images, video, or data;
- 70 (16) Administer and authorize grants and loans under section 650.335 to those counties
- 71 and any home rule city with more than fifteen thousand but fewer than seventeen thousand
- 72 inhabitants and partially located in any county of the third classification without a township form
- 73 of government and with more than thirty-seven thousand but fewer than forty-one thousand
- 74 inhabitants that can demonstrate a financial commitment to improving 911 services by providing
- 75 at least a fifty percent match and demonstrate the ability to operate and maintain ongoing 911
- 76 services. The purpose of grants and loans from the 911 service trust fund shall include:
- 77 (a) Implementation of 911 services in counties of the state where services do not exist
- 78 or to improve existing 911 systems;
- 79 (b) Promotion of consolidation where appropriate;
- 80 (c) Mapping and addressing all county locations;

81 (d) Ensuring primary access and texting abilities to 911 services for disabled residents;

82 (e) Implementation of initial emergency medical dispatch services, including prearrival
83 medical instructions in counties where those services are not offered as of July 1, 2019; and

84 (f) Development and implementation of an emergency services internet protocol network
85 that can be shared by all public safety agencies;

86 (17) Develop an application process including reporting and accountability requirements,
87 withholding a portion of the grant until completion of a project, and other measures to ensure
88 funds are used in accordance with the law and purpose of the grant, and conduct audits as
89 deemed necessary;

90 (18) Set the percentage rate of the prepaid wireless emergency telephone service charges
91 to be remitted to a county or city as provided under subdivision (5) of subsection 3 of section
92 190.460;

93 (19) Retain in its records proposed county plans developed under subsection 10 of
94 section 190.455 and notify the department of revenue that the county has filed a plan that is ready
95 for implementation;

96 (20) Notify any communications service provider, as defined in section 190.400, that has
97 voluntarily submitted its contact information when any update is made to the centralized
98 database established under section 190.475 as a result of a county or city establishing or
99 modifying a tax or monthly fee no less than ninety days prior to the effective date of the
100 establishment or modification of the tax or monthly fee;

101 (21) Establish criteria for consolidation prioritization of public safety answering points;
102 and

103 (22) In coordination with existing public safety answering points, by December 31, 2018,
104 designate no more than eleven regional 911 coordination centers which shall coordinate
105 statewide interoperability among public safety answering points within their region through the
106 use of a statewide 911 emergency services network.

107 5. The department of public safety shall provide staff assistance to the board as necessary
108 in order for the board to perform its duties pursuant to sections 650.320 to 650.340. The board
109 shall have the authority to hire consultants to administer the provisions of sections 650.320 to
110 650.340.

111 6. The board shall promulgate rules and regulations that are reasonable and necessary
112 to implement and administer the provisions of **sections 190.300 to 190.304, sections 190.400**
113 **to 190.475, and** sections 650.320 to 650.340. Any rule or portion of a rule, as that term is
114 defined in section 536.010, shall become effective only if it has been promulgated pursuant to
115 the provisions of chapter 536. This section and chapter 536 are nonseverable and if any of the
116 powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective

117 date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of
118 rulemaking authority and any rule proposed or adopted after August 28, 2017, shall be invalid
119 and void.

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