

Request for Board of Commissioners' Action

From: County Administrator, Faye Hughes Date: August 23, 2018

Subject: 911 Resolutions Item Number: VIII-B

HB 751 was passed during the 2018 legislative session which created the Georgia Emergency Communications Authority (GECA). This legislation implements a new centralized process by which all 9-1-1 fees are to be collected and remitted to local governments by the Department of Revenue (DOR).

In order for DOR to collect your landline and wireless service 9-1-1 fees beginning January 1, 2019, your county (or city) must either:

- have previously passed resolution(s) imposing 9-1-1 fees; OR
- **pass resolutions (see attached models) by August 31, 2018 if you have no existing resolution** (by statute collection cannot start until 120 days from the date of the resolution).

To have their systems ready to collect 9-1-1 fees by January 1, 2019, DOR is requiring that you send them a copy of your resolution(s) no later than September 30, 2018.

Deadline November 1, 2018:

Adopt and submit the attached model resolutions for County 9-1-1 Other than Prepaid Wireless Model Resolution, and the County 9-1-1 Prepaid Wireless Model Resolution to:

ACCG wants to be sure that each and every county has submitted resolutions by the above deadlines so that every jurisdiction will be eligible to levy the 9-1-1 fees. Please email Debra Nesbit (dnesbit@accg.org) and advise us which county staff member will be responsible for seeing that the resolutions are sent, adopted and resubmitted.

If you have any questions or need clarification my contact information is listed below.

Debra Nesbit
Associate Legislative Director
Association County Commissioners of Georgia (ACCG)
191 Peachtree Street, Suite 700
Atlanta, GA 30303
(404) 522-5022 office
(404) 589-7823 direct
(404) 617-4755 cell
dnesbit@accg.org

The Chair will need a motion to adopt the 911 Fee Resolutions for Prepaid Wireless and Other Wireless .

Motion made by _____

Second made by _____

Any discussion: _____

Votes _____ yes _____ no

Motion carried/ failed

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF COOK COUNTY, GEORGIA UPDATING AND AUTHORIZING 9-1-1 CHARGES ON PREPAID WIRELESS SERVICES; PROVIDING AN EFFECTIVE DATE; REPEALING PRIOR RESOLUTIONS IN CONFLICT; AND FOR OTHER PURPOSES.

WHEREAS, the general law regarding 9-1-1 charges has been substantially modernized and revised by Ga. L. 2018, p. 689, HB 751; and

WHEREAS, many of these revisions include oversight and administration of 9-1-1 matters by the Georgia Emergency Communications Authority and the Department of Revenue; and

WHEREAS, Cook County, Georgia desires to update its 9-1-1 prepaid wireless charges in accordance with revisions to state law.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Cook County, GEORGIA as follows:

Section 1. Definitions

Unless specified otherwise in this resolution, all terms shall be defined in the same manner as specified in O.C.G.A. § 46-5-122.

Section 2. 9-1-1 Charges on Monthly Services

(a) Pursuant to O.C.G.A. § 46-5-134.2(b)(1), there is imposed a prepaid wireless 9-1-1 charge and the amount of such 9-1-1 charge shall be \$1.50 per retail transaction occurring within the jurisdiction of public safety answering point.

(d) The 9-1-1 charges under this section shall commence January 1, 2019.

Section 3. Collecting and Remitting of 9-1-1 Charges

All such 9-1-1 charges collected by service suppliers shall be remitted to the Georgia Department of Revenue, as the contracted collection partner of the Georgia Emergency Communications Authority, at the times and in the manner provided by O.C.G.A. § 38-3-185, O.C.G.A. § 38-3-186, and any other Georgia Department of Revenue or Georgia Emergency Communications Authority rule or regulation adopted pursuant to Article 12 of Chapter 13 of Title 38 of the O.C.G.A. and Chapter 13 of Title 50 of the O.C.G.A., the "Georgia Administrative Procedures Act".

Section 4. Deposit and Use of Proceeds

Pursuant to O.C.G.A. § 46-5-134, all proceeds received by Cook County from 9-1-1 charges imposed by this resolution shall be deposited in the Emergency Telephone System Fund maintained by the county;

kept separate from general revenue of the county; and used exclusively for the statutorily authorized purposes.

Section 5. Resolution Filing Requirements

The Clerk of the County shall file with the state revenue commissioner a certified copy of this resolution within ten (10) days of the adoption thereof. Any subsequent amendment to this resolution shall likewise be so filed by the clerk within ten (10) days of the adoption thereof.

Section 6. Effective Date and Applicability

This resolution shall become effective on January 1, 2019. Any prior resolution establishing such 9-1-1 charges shall remain in effect until r 31, 2018. On such date, such 9-1-1 charges shall be governed by this resolution.

Section 7. Repealer

All resolutions, or parts of resolutions, in conflict with this resolution are repealed as of January 1, 2019.

This _____ day of _____, 2018.

Cook County, Georgia

By: _____

Debra Robinson, Chairman

(County Seal)

Attest: _____

Vicki S. Parrish, County Clerk

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF COOK COUNTY, GEORGIA UPDATING AND AUTHORIZING 9-1-1 CHARGES ON TELEPHONE SERVICES AND WIRELESS ENHANCED 9-1-1 CHARGES OTHER THAN PREPAID WIRELESS SERVICES; PROVIDING AN EFFECTIVE DATE; REPEALING PRIOR RESOLUTIONS IN CONFLICT; AND FOR OTHER PURPOSES.

WHEREAS, the general law regarding 9-1-1 charges has been substantially modernized and revised by Ga. L. 2018, p. 689, HB 751; and

WHEREAS, many of these revisions include oversight and administration of 9-1-1 matters by the Georgia Emergency Communications Authority and the Department of Revenue; and

WHEREAS, Cook County, Georgia desires to update its 9-1-1 charges in accordance with revisions to state law.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Cook County, GEORGIA as follows:

Section 1. Definitions

Unless specified otherwise in this resolution, all terms shall be defined in the same manner as specified in O.C.G.A. § 46-5-122.

Section 2. 9-1-1 Charges on Monthly Services

(a) Pursuant to O.C.G.A. § 46-5-133(a), there is imposed a monthly 9-1-1 charge upon each telephone service, subscribed to by a telephone subscriber, whose exchange access lines are in the areas served or which could be served by the 9-1-1 service. Pursuant to O.C.G.A. § 46-5-134(a)(1)(A), the amount of such 9-1-1 charge shall be \$1.50 per month per telephone service provided to the telephone subscriber.

(b) Pursuant to O.C.G.A. § 46-5-133(a), there is imposed a monthly wireless enhanced 9-1-1 charge upon each wireless telecommunications connection, other than a connection for prepaid wireless service, subscribed to by a telephone subscriber whose place of primary use is within the geographic area that is served by Cook County, Georgia, or that would be served by Cook County, Georgia, for the purpose of such an emergency 9-1-1 system. Pursuant to O.C.G.A. 46-5-134(a)(2)(A), the amount of such enhanced wireless 9-1-1 charge shall be \$1.50 per month per wireless telecommunications connection provided to the telephone subscriber.

(c) The 9-1-1 charges under this section shall commence January 1, 2019.

Section 3. Collecting and Remitting of 9-1-1 Charges

All such 9-1-1 charges collected by service suppliers shall be remitted to the Georgia Department of Revenue, as the contracted collection partner of the Georgia Emergency Communications Authority, at the times and in the manner provided by O.C.G.A. § 38-3-185, O.C.G.A. § 38-3-

186, and any other Georgia Department of Revenue or Georgia Emergency Communications Authority rule or regulation adopted pursuant to Article 12 of Chapter 13 of Title 38 of the O.C.G.A. and Chapter 13 of Title 50 of the O.C.G.A., the “Georgia Administrative Procedures Act”.

Section 4. Deposit and Use of Proceeds

Pursuant to O.C.G.A. § 46-5-134, all proceeds received by Cook County from 9-1-1 charges imposed by this resolution shall be deposited in the Emergency Telephone System Fund maintained by the county; kept separate from general revenue of the county; and used exclusively for the statutorily authorized purposes.

Section 5. Resolution Filing Requirements

The Clerk of the County shall file with the state revenue commissioner a certified copy of this resolution within ten (10) days of the adoption thereof. Any subsequent amendment to this resolution shall likewise be so filed by the clerk within ten (10) days of the adoption thereof.

Section 6. Effective Date and Applicability

This resolution shall become effective on January 1, 2019. Any prior resolution establishing such 9-1-1 charges shall remain in effect until January 1, 2019. On such date, such 9-1-1 charges shall be governed by this resolution.

Section 7. Repealer

All resolutions, or parts of resolutions, in conflict with this resolution are repealed as of January 1, 2019.

This ____ day of _____, 2018.

Cook County, Georgia

By: _____

Debra Robinson, Chairperson

Attest: _____

Vicki S. Parrish, County Clerk