

SENATE BILL NO. 348—SENATOR GOICOECHEA

MARCH 24, 2021

Referred to Committee on Growth and Infrastructure

SUMMARY—Creates provisions governing emergency 911 services. (BDR 43-707)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Yes.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to emergency management; creating the Office of the Nevada Statewide 911 Coordinator in the Department of Public Safety; requiring the Coordinator to adopt certain regulations; imposing a surcharge on certain devices; imposing a surcharge and an excise tax to fund the Coordinator and the Nevada Public Safety Communications Advisory Committee; creating the Committee; establishing the duties of the Committee; creating the State 911 Account; requiring the appointment of county 911 coordinators; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 The Nevada Public Safety Communications Committee was established by
2 Governor Sandoval in 2014 with one of its goals being to advise the Statewide 911
3 Coordinator. (Executive Order 2014-01) Since the position of Statewide 911
4 Coordinator does not currently exist, the Committee created the NPSCC Statewide
5 911 Coordinator Subcommittee to determine the duties and responsibilities of the
6 Statewide 911 Coordinator. As a result, the NPSCC Statewide 911 Coordinator
7 Subcommittee submitted its Recommendations Report to the Committee in 2016
8 outlining the duties, education and experience requirements and funding
9 mechanisms for the Statewide 911 Coordinator. This bill carries out the
10 Recommendations Report of the NPSCC Statewide 911 Coordinator Subcommittee
11 by creating the Nevada Statewide 911 Coordinator and other entities and funds.

12 **Section 19** of this bill creates the Office of the Nevada Statewide 911
13 Coordinator within the Department of Public Safety. **Sections 39 and 40** of this bill
14 make conforming changes as a result of the creation of the Office. **Section 19**
15 requires the Director of the Department to appoint the Nevada Statewide 911
16 Coordinator, who is required to manage the Office. **Section 20** of this bill
17 authorizes the Coordinator to employ certain persons to assist the Coordinator in



18 carrying out his or her duties and responsibilities. **Section 21** of this bill: (1)
19 requires the Coordinator to meet certain education and experience requirements;
20 and (2) provides further guidance as to the qualifications of the Coordinator.

21 **Sections 22-25** of this bill set out the various duties of the Coordinator. Federal
22 regulations authorize a state to apply for funds from the 911 Grant Program. To
23 make such an application, a state must: (1) have a State 911 Plan; (2) have a project
24 budget and a supplemental project budget; (3) identify a single officer or
25 government body to serve as the 911 Coordinator of implementation of 911
26 services; and (4) have the 911 Coordinator sign certain certifications required under
27 federal regulations. (47 C.F.R. § 400.4(a)) **Section 22** of this bill identifies the
28 Nevada Statewide 911 Coordinator as the designated 911 Coordinator of Nevada
29 for the purpose of applying for funds from the 911 Grant Program. **Section 23** of
30 this bill requires the Coordinator to serve as the Executive Director of the Nevada
31 Public Safety Communications Advisory Committee and provides for the
32 responsibilities of the Coordinator in serving as the Executive Director. **Section 24**
33 of this bill provides for the fiscal responsibilities of the Coordinator, including
34 administering the State 911 Account and approving expenditures from the Account.
35 **Section 25** of this bill provides for the various other duties of the Coordinator,
36 including creating, implementing, managing and updating the State 911 Plan for the
37 purpose of applying for funds from the 911 Grant Program.

38 **Section 26** of this bill requires the Coordinator to adopt certain regulations
39 concerning public safety answering points and 911 systems. **Section 26** further
40 authorizes the Coordinator to adopt such other regulations as are necessary for the
41 Coordinator to carry out his or her duties and responsibilities. **Section 27** of this bill
42 provides that the Coordinator is entitled to receive a per diem allowance and travel
43 expenses while carrying out his or her duties and responsibilities. **Section 28** of this
44 bill authorizes the Coordinator to apply for and receive gifts, grants, contributions
45 or other money.

46 **Sections 29 and 30** of this bill impose a surcharge and an excise tax,
47 respectively, that must be used to fund the duties and responsibilities of the
48 Coordinator and the Nevada Public Safety Communications Advisory Committee.
49 **Section 29** of this bill requires the board of county commissioners in each county in
50 this State to impose a surcharge that does not exceed 75 cents each month on: (1)
51 the access lines or trunk lines of each customer of a telecommunications provider;
52 (2) the mobile telephone service provided to certain customers of that service; and
53 (3) any Internet Protocol-enabled service or Voice over Internet Protocol service
54 provided to certain customers of that service. **Section 29** authorizes the board of
55 county commissioners to impose a schedule of penalties for the delinquent
56 payments of this surcharge from such providers or suppliers. **Section 30** of this bill
57 imposes an excise tax on each retail sale in this State of a prepaid cellular device by
58 any retailer at a rate of 3 percent of the sales price of the prepaid cellular device.
59 **Sections 29 and 30** require any revenue received from this surcharge and excise tax
60 to be deposited with the State Treasurer for credit to the State 911 Account.
61 **Sections 41 and 42** of this bill make conforming changes as a result of the
62 imposition of the surcharge.

63 **Sections 31-36** of this bill create the Nevada Public Safety Communications
64 Advisory Committee and provide the duties of the Committee. **Section 31** of this
65 bill creates the Committee and specifies its membership. **Section 32** of this bill
66 provides for the requirements for the meetings of the Committee and requires such
67 meetings to comply with the Open Meeting Law. (Chapter 241 of NRS) **Section 33**
68 of this bill sets forth: (1) various rules concerning the compensation of members of
69 the Committee; and (2) that the members of the Committee are entitled to receive
70 compensation and a per diem allowance and travel expenses while carrying out the
71 duties and responsibilities of the Committee. **Section 34** of this bill provides for the
72 duties of the Committee, including advising the Coordinator. **Section 35** of this bill



73 authorizes the Co-Chairs of the Committee, with the approval of the Committee, to
74 appoint any subcommittees that the Co-Chairs of the Committee deem necessary to
75 assist in carrying out the duties of the Committee. **Section 36** of this bill requires
76 the Governor to provide such staff assistance to the Committee as the Governor
77 deems appropriate.

78 **Section 37** of this bill creates the State 911 Account in the State General Fund
79 and requires the Coordinator to administer the State 911 Account. **Section 37**
80 requires any revenue received from the following sources to be deposited with the
81 State Treasurer for credit to the State 911 Account: (1) the 911 Grant Program; (2)
82 any gifts, grants, contributions or other money received by the Coordinator under
83 **section 28**; (3) the surcharge imposed by **section 29**; and (4) the excise tax imposed
84 by **section 30**. **Section 37** requires: (1) all expenditures from the State 911 Account
85 to be approved in advance by the Coordinator; (2) the money in the State 911
86 Account to be used for certain purposes; and (3) that the Coordinator may not use
87 more than 5 percent of the money collected in a fiscal year for administrative
88 expenses. **Section 37** requires the Coordinator, at the end of each quarter of a fiscal
89 year, to submit to the Interim Finance Committee a report of the expenditures made
90 from the State 911 Account.

91 **Section 38** of this bill requires each county in this State, or two or more
92 counties in this State collectively, to appoint a county 911 coordinator who: (1) is
93 approved by and works under the supervision of the Nevada Statewide 911
94 Coordinator; and (2) performs various tasks. **Section 37** requires money in the State
95 911 Account to be expended to fund the county 911 coordinators.

96 **Sections 2-18** of this bill define terms used in **sections 19-38**.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** Chapter 480 of NRS is hereby amended by adding
2 thereto the provisions set forth as sections 2 to 38, inclusive, of this
3 act.

4 **Sec. 2.** *As used in sections 2 to 38, inclusive, of this act,*
5 *unless the context otherwise requires, the words and terms defined*
6 *in sections 3 to 18, inclusive, of this act have the meanings*
7 *ascribed to them in those sections.*

8 **Sec. 3.** *“911 emergency” means an emergency that is*
9 *reported to a public safety answering point by use of a 911 system.*

10 **Sec. 4.** *“911 system” means any system, equipment, software,*
11 *device, network, technology, architecture, centers, public safety*
12 *answering point or other feature, tool, hardware or software*
13 *through which a person can report a 911 emergency.*

14 **Sec. 5.** *“Basic network service” has the meaning ascribed to*
15 *it in NRS 704.006.*

16 **Sec. 6.** *“Committee” means the Nevada Public Safety*
17 *Communications Advisory Committee created by section 31 of this*
18 *act.*

19 **Sec. 7.** *“Coordinator” means the Nevada Statewide 911*
20 *Coordinator appointed pursuant to section 19 of this act.*



1 **Sec. 8.** *“E911” means the Enhanced 911 rules established by*
2 *the Federal Communications Commission that seek to improve the*
3 *effectiveness and reliability of wireless 911 services.*

4 **Sec. 9.** *“Emergency medical dispatch” means a 911 system*
5 *in which a trained person determines the nature and priority of a*
6 *medical call, dispatches the appropriate response and provides*
7 *instructions to help treat the patient until the emergency responder*
8 *arrives.*

9 **Sec. 10.** *“Emergency responder” means a person or*
10 *governmental agency that provides an emergency response.*

11 **Sec. 11.** *“Enhanced 911 service” means a service consisting*
12 *of telephone network features and public safety answering points*
13 *provided for a person by a public telephone system to reach the*
14 *appropriate public safety answering point by dialing the digits 9-1-*
15 *1, by using selective routing, if required, based on the location*
16 *from which a call originates and providing, at the public safety*
17 *answering point, automatic identification of the telephone number*
18 *and physical location from which the person is calling.*

19 **Sec. 12.** *“First Responder Network Authority” or “FirstNet”*
20 *means the independent authority within the National*
21 *Telecommunications and Information Administration within the*
22 *United States Department of Commerce that provides emergency*
23 *responders with a nationwide, broadband network dedicated to*
24 *public safety.*

25 **Sec. 13.** *“Next Generation 911” or “NG911” means a digital*
26 *or Internet Protocol-based 911 system designed to replace analog-*
27 *based 911 systems.*

28 **Sec. 14.** *“Office” means the Office of the Nevada Statewide*
29 *911 Coordinator created by section 19 of this act.*

30 **Sec. 15.** *“Personal wireless service” has the meaning*
31 *ascribed to it in NRS 707.565.*

32 **Sec. 16.** *“Public safety answering point” means a facility,*
33 *operated 24 hours a day, 7 days a week, that is responsible for*
34 *receiving 911 telephone calls and directly dispatching an*
35 *emergency response, or transferring or relaying 911 telephone*
36 *calls to other governmental agencies. A public safety answering*
37 *point is the first point of reception by a governmental agency of*
38 *911 telephone calls and serves the jurisdiction in which it is*
39 *located and other participating jurisdictions.*

40 **Sec. 17.** *“State 911 Plan” means a plan that satisfies the*
41 *requirements of 47 C.F.R. § 400.4(a)(1).*

42 **Sec. 18.** *“State Administrative Agent” means the individual*
43 *listed on the State Administrative Agency Contact List which is*
44 *published by the Federal Emergency Management Agency.*



1 **Sec. 19. 1. The Office of the Nevada Statewide 911**
2 **Coordinator is hereby created within the Department.**

3 2. The Director shall appoint the Nevada Statewide 911
4 Coordinator. The Coordinator serves at the pleasure of the
5 Director.

6 3. The Coordinator shall manage the Office and any persons
7 employed pursuant to section 20 of this act to carry out the duties
8 and responsibilities of the Coordinator as set forth in sections 2 to
9 38, inclusive, of this act.

10 4. The Coordinator must not have any conflicts of interest
11 relating to the performance of his or her duties and
12 responsibilities as set forth in sections 2 to 38, inclusive, of this
13 act.

14 **Sec. 20. 1. The Coordinator may employ such persons in**
15 **the classified service of the State as the Coordinator determines to**
16 **be necessary to carry out the duties and responsibilities of the**
17 **Coordinator as set forth in sections 2 to 38, inclusive, of this act.**

18 2. If the Coordinator employs persons pursuant to subsection
19 1, the salaries for those positions must be paid from the State 911
20 Account created pursuant to section 37 of this act.

21 3. A person employed by the Coordinator pursuant to this
22 section must be qualified by training and experience to perform
23 the duties for which the Coordinator employs the person.

24 4. A person employed by the Coordinator pursuant to this
25 section must not have any conflicts of interest relating to the
26 performance of his or her duties.

27 **Sec. 21. 1. The Coordinator must have at least the**
28 **following education and experience:**

29 (a) A bachelor's degree in public administration, criminal
30 justice, communications or a related field, as determined by the
31 Director; and

32 (b) Four years or more of work experience in:

33 (1) Public safety communications;

34 (2) Emergency management;

35 (3) Telecommunications planning and supervision;

36 (4) Financial management, including, without limitation,
37 management of grants, contracts, claims and budgets;

38 (5) Public affairs;

39 (6) Management of programs or projects;

40 (7) Environmental analysis or planning;

41 (8) Civil or structural engineering;

42 (9) Urban planning; or

43 (10) Any equivalent combination of experience or
44 education that the Director determines provides the desired



1 *knowledge, skills and ability required for the position of*
2 *Coordinator.*

3 *2. The qualifications for the position of Coordinator may*
4 *include, without limitation:*

5 *(a) Experience and knowledge in managing employees;*

6 *(b) Knowledge of:*

7 *(1) Public safety answering points, 911 systems and*
8 *enhanced 911 services;*

9 *(2) Employment laws and regulations;*

10 *(3) Industry trends in technology, architecture, networks,*
11 *information systems and the Internet that would affect 911*
12 *systems;*

13 *(4) Interoperability between FirstNet, NG911 and land*
14 *mobile radio systems;*

15 *(5) Current and emerging emergency 911 systems and*
16 *services, including, without limitation:*

17 *(I) E911, including, without limitation, wireless 911*
18 *services and Phase I and Phase II of E911;*

19 *(II) Public safety answering points;*

20 *(III) Channel-associated signaling (CAS);*

21 *(IV) Non-call-path associated signaling (NCAS);*

22 *(V) Automatic number identification (ANI) or automatic*
23 *location identification (ALI);*

24 *(VI) Computer-aided dispatch (CAD);*

25 *(VII) Emergency medical dispatch; and*

26 *(VIII) Automotive vehicle location (AVL);*

27 *(6) Legislation relating to 911 systems;*

28 *(7) Contingency and disaster planning;*

29 *(8) Health and safety factors associated with operating*
30 *public safety answering points;*

31 *(9) Public relations and public education; and*

32 *(10) Geographic information systems and their*
33 *interoperability with 911 systems;*

34 *(c) Working knowledge of:*

35 *(1) Regulations adopted by the Federal Communications*
36 *Commission; and*

37 *(2) NG911;*

38 *(d) Ability to:*

39 *(1) Analyze issues related to technology and develop*
40 *solutions and recommendations for projects;*

41 *(2) Advise and oversee activities in person and remotely;*

42 *(3) Communicate effectively, both orally and in writing;*

43 *(4) Speak in front of large crowds;*

44 *(5) Draft plans, policies, standards or guidelines that relate*
45 *to 911 systems; and*



1 (6) *Work effectively with agency leadership, state and local*
2 *managers and staff, policy boards and nongovernment groups;*
3 *and*

4 (e) *Hold or pass the following certification or programs:*

5 (1) *Hold the ENP Certification of the National Emergency*
6 *Number Association;*

7 (2) *Pass the Certified Public-Safety Executive Program of*
8 *the Association of Public-Safety Communications Officials; and*

9 (3) *Pass the Registered Public-Safety Leader Program of*
10 *the Association of Public-Safety Communications Officials.*

11 **Sec. 22.** *The Coordinator is the designated 911 Coordinator*
12 *of Nevada for the purpose of applying for funds from the 911*
13 *Grant Program pursuant to 47 C.F.R. § 400.4.*

14 **Sec. 23.** 1. *The Coordinator shall serve as the Executive*
15 *Director of the Committee.*

16 2. *The Coordinator is responsible for:*

17 (a) *The day-to-day management of the Committee; and*

18 (b) *Implementing any action that is approved or requested by*
19 *the Committee that the Coordinator determines to be appropriate.*

20 **Sec. 24.** *The Coordinator shall:*

21 1. *Develop requests for proposals for 911 systems and*
22 *maintenance services on such 911 systems;*

23 2. *Review any bids received pursuant to the requests for*
24 *proposals developed pursuant to subsection 1 and, with the advice*
25 *of the Committee, determine which bids to accept;*

26 3. *Prepare and approve the annual budget for:*

27 (a) *The Committee;*

28 (b) *If applicable, any subcommittee of the Committee*
29 *appointed pursuant to section 35 of this act; and*

30 (c) *Any county 911 coordinators who are appointed and*
31 *approved pursuant to section 38 of this act;*

32 4. *Administer the State 911 Account created by section 37 of*
33 *this act;*

34 5. *Approve expenditures from the State 911 Account that*
35 *comply with section 37 of this act;*

36 6. *Maintain financial records for any expenditure made from*
37 *the State 911 Account for the purpose of submitting the quarterly*
38 *report to the Interim Finance Committee required pursuant to*
39 *subsection 6 of section 37 of this act;*

40 7. *Manage any gifts, grants, contributions or other money*
41 *received pursuant to section 28 of this act; and*

42 8. *Prepare any request for reimbursement of expenses*
43 *incurred by the Coordinator in the discharge of his or her duties.*

44 **Sec. 25.** *The Coordinator shall:*



1 *1. Be the single point of contact for this State for*
2 *coordinating 911 systems in this State.*

3 *2. Coordinate:*

4 *(a) With state agencies, local governments, Indian tribes or*
5 *nations, special districts, telephone companies or providers of*
6 *basic network services, providers of personal wireless service, law*
7 *enforcement agencies, providers of fire protection services and*
8 *providers of emergency medical services to implement, use and*
9 *update 911 systems;*

10 *(b) The implementation, use and updating of 911 systems;*

11 *(c) With counties that have enhanced 911 services in existence*
12 *while implementing enhanced 911 services across the State*
13 *pursuant to subsection 14; and*

14 *(d) With the Governor and other officials of this State to make*
15 *recommendations to the Legislature relating to 911 systems.*

16 *3. Serve as the coordinator for this State for NG911.*

17 *4. Provide research and technical support to the Committee.*

18 *5. Propose goals and programs that may be established and*
19 *carried out, respectively, to promote the availability and*
20 *effectiveness of 911 systems.*

21 *6. Administer any laws relating to 911 systems.*

22 *7. Review technical and operational specifications, standards,*
23 *policies, procedures and best practices for 911 systems and develop*
24 *a detailed description of such 911 systems.*

25 *8. Negotiate and enter into contracts upon accepting a bid*
26 *pursuant to subsection 2 of section 24 of this act.*

27 *9. Evaluate the performance of contractors who entered into*
28 *a contract with the Coordinator pursuant to subsection 8 to*
29 *determine if the terms and conditions of the contract are being*
30 *complied with.*

31 *10. Create and implement the State 911 Plan.*

32 *11. Manage and update the State 911 Plan.*

33 *12. Be the single point of accountability for issues concerning*
34 *911 systems for this State that arise as a result of the State 911*
35 *Plan.*

36 *13. Gather and provide to the public information on how the*
37 *initiatives implemented by the State 911 Plan are progressing.*

38 *14. Create a plan to implement enhanced 911 service in each*
39 *county in this State.*

40 *15. Provide to the public information about local, state and*
41 *national 911 systems.*

42 *16. Respond to inquiries and complaints concerning 911*
43 *systems.*



1 *17. Act as the liaison with local, county, state and federal*
2 *agencies and governments that have an interest in providing 911*
3 *systems.*

4 *18. Present reports, speeches and seminars to federal, state*
5 *and local agencies, including, without limitation, to:*

6 *(a) The National Emergency Number Association;*

7 *(b) The Association of Public-Safety Communications*
8 *Officials International; and*

9 *(c) The National Association of State 911 Administrators.*

10 *19. Ensure that all telephones in a county are or can be*
11 *selectively routed to one or more public safety answering points.*

12 *20. Ensure that the equipment used by a public safety*
13 *answering point in this State meets the standards of the emergency*
14 *services Internet protocol network and any other national*
15 *standard the Coordinator determines to apply to public safety*
16 *answering points in this State.*

17 *21. Perform any other acts related to his or her duties that the*
18 *Coordinator determines are necessary.*

19 **Sec. 26. 1. The Coordinator shall adopt regulations that**
20 **provide:**

21 *(a) The technical and operational standards for public safety*
22 *answering points;*

23 *(b) The standards and procedures for developing and*
24 *maintaining a database of 911 systems; and*

25 *(c) The standards and procedures for ensuring the security of*
26 *911 systems and the database of 911 systems.*

27 *2. The Coordinator may adopt such other regulations as are*
28 *necessary to carry out the provisions of sections 2 to 38, inclusive,*
29 *of this act.*

30 **Sec. 27. In addition to any compensation received by the**
31 **Coordinator, while carrying out the duties and responsibilities of**
32 **the Coordinator as set forth in sections 2 to 38, inclusive, of this**
33 **act, the Coordinator is entitled to receive the per diem allowance**
34 **and travel expenses provided for state officers and employees**
35 **generally.**

36 **Sec. 28. The Coordinator may apply for and receive gifts,**
37 **grants, contributions or other money, including, without**
38 **limitation, from the 911 Grant Program pursuant to 47 C.F.R. §**
39 **400.4, governmental and private agencies, affiliated associations**
40 **and other persons, to carry out the duties of the Coordinator and**
41 **to defray expenses incurred by the Coordinator in the discharge of**
42 **his or her duties.**

43 **Sec. 29. 1. The board of county commissioners in each**
44 **county in this State shall impose a surcharge on:**



1 (a) Each access line or trunk line of each customer to the local
2 exchange of any telecommunications provider providing those
3 lines in the county;

4 (b) The mobile telephone service provided to each customer of
5 that service whose place of primary use is in the county; and

6 (c) Any Internet Protocol-enabled service or Voice over
7 Internet Protocol service provided to each customer of that service
8 whose place of primary use is in the county.

9 2. The surcharge imposed by a board of county
10 commissioners pursuant to subsection 1 must not exceed 75 cents
11 each month.

12 3. The board of county commissioners may impose a schedule
13 of penalties for the delinquent payment of amounts due from
14 telecommunications providers which provides access lines or
15 trunk lines in a county which imposes a surcharge pursuant to
16 this section or a supplier which provides mobile telephone service,
17 Internet Protocol-enabled service or Voice over Internet Protocol
18 service to a customer in such a county pursuant to this section.
19 Such a schedule:

20 (a) Must provide for a grace period of not less than 90 days
21 after the date on which the telecommunications provider or
22 supplier must otherwise remit the surcharge to the Department of
23 Taxation; and

24 (b) Must not provide for a penalty that exceeds 5 percent of the
25 cumulative amount of surcharges owed by a telecommunications
26 provider or a supplier.

27 4. A telecommunications provider or a supplier shall collect
28 the surcharge from its customers each month. Except as otherwise
29 provided in subsection 5, the telecommunications provider or
30 supplier shall remit the surcharge it collects to the Department of
31 Taxation not later than the 15th day of the month after the month
32 it receives payment of the surcharge from its customers. The
33 Department of Taxation shall deposit the surcharge with the State
34 Treasurer for credit to the State 911 Account created by section 37
35 of this act.

36 5. A telecommunications provider or supplier which collects
37 the surcharge imposed pursuant to this section is entitled to retain
38 an amount of the surcharge collected which is equal to the cost to
39 collect the surcharge.

40 6. As used in this section:

41 (a) "Internet Protocol-enabled service" means any service,
42 functionality or application which uses Internet Protocol or a
43 successor protocol that enables an end-user to send or receive
44 voice, data or video communications. The term does not include
45 Voice over Internet Protocol service.



1 (b) "Mobile telephone service" means cellular or other service
2 to a telephone installed in a vehicle or which is otherwise portable.

3 (c) "Place of primary use" has the meaning ascribed to it in 4
4 U.S.C. § 124(8), as that section existed on August 1, 2002.

5 (d) "Supplier" means a person authorized by the Federal
6 Communications Commission to provide mobile telephone service,
7 Internet Protocol-enabled service or Voice over Internet Protocol
8 service.

9 (e) "Trunk line" means a line which provides a channel
10 between a switchboard owned by a customer of a
11 telecommunications provider and the local exchange of the
12 telecommunications provider.

13 (f) "Voice over Internet Protocol service" means any service
14 that:

15 (1) Enables real-time, two-way voice communication
16 originating from or terminating at the user's location in Internet
17 Protocol or a successor protocol;

18 (2) Uses a broadband connection from the user's location;
19 and

20 (3) Permits a user to receive a call that originates on the
21 public switched telephone network and to terminate a call to the
22 public switched telephone network.

23 **Sec. 30. 1.** An excise tax is hereby imposed on each retail
24 sale in this State of a prepaid cellular device by any retailer at the
25 rate of 3 percent of the sales price of the prepaid cellular device.
26 The excise tax imposed pursuant to this subsection is:

27 (a) The obligation of the retailer; and

28 (b) Separate from and in addition to any general state and
29 local sales and use taxes that apply to retail sales of tangible
30 personal property.

31 2. The revenues collected from the excise tax imposed
32 pursuant to subsection 1 must be distributed to the State Treasurer
33 to be deposited to the credit of the State 911 Account created by
34 section 37 of this act.

35 3. As used in this section:

36 (a) "Prepaid cellular device" means a cellular phone or any
37 other portable device for which the service is purchased in a set
38 amount at the time of purchasing the cellular phone or other
39 portable device and the service does not involve a long-term
40 contract.

41 (b) "Retailer" includes every seller who makes any retail sale
42 or sales of prepaid cellular devices.

43 (c) "Tangible personal property" has the meaning ascribed to
44 it in NRS 360B.095.



1 **Sec. 31. 1. The Nevada Public Safety Communications**
2 **Advisory Committee is hereby created within the Office.**

3 **2. The Governor shall appoint the following voting members**
4 **to the Committee who serve at the pleasure of the Governor:**

5 **(a) The Director;**

6 **(b) The Chief Information Officer for the State;**

7 **(c) One member who is a representative of the Department of**
8 **Transportation;**

9 **(d) One member who is a representative of the Nevada**
10 **National Guard;**

11 **(e) One member who is a representative of the Nevada**
12 **Commission on Homeland Security;**

13 **(f) One member who is a representative of the Nevada**
14 **Sheriffs' and Chiefs' Association or its successor organization;**

15 **(g) One member who is a representative of the Inter-Tribal**
16 **Council of Nevada, Inc., or its successor organization, to represent**
17 **tribal governments in Nevada;**

18 **(h) One member who is a representative of a metropolitan**
19 **police department, appointed by the sheriff of the county in which**
20 **the metropolitan police department is established;**

21 **(i) One member who is a representative of a communications**
22 **council formed by agreement pursuant to chapter 277 of NRS in a**
23 **county whose population is 700,000 or more;**

24 **(j) One member who is a representative of a regional**
25 **communication system formed by agreement pursuant to chapter**
26 **277 or NRS in a county whose population is 100,000 or more and**
27 **less than 700,000;**

28 **(k) One member who is a representative of the Nevada System**
29 **of Higher Education;**

30 **(l) One member who is a representative of a public utility;**

31 **(m) One member who is a representative of the Nevada**
32 **Hospital Association or its successor organization;**

33 **(n) One member from a county whose population is less than**
34 **100,000 who represents public safety; and**

35 **(o) One member who is a representative of the Nevada Fire**
36 **Chiefs' Association or its successor organization. If the**
37 **Association ceases to exist and no legal successor is formed, the**
38 **Governor shall appoint one member who is a fire chief.**

39 **3. The Governor shall appoint the following nonvoting**
40 **members to the Committee who serve at the pleasure of the**
41 **Governor:**

42 **(a) The Chief of the Division of Emergency Management of**
43 **the Department of Public Safety;**

44 **(b) The Statewide Interoperability Coordinator for Nevada, if**
45 **any; and**



1 (c) *One member who is a representative of the United States*
2 *Department of Homeland Security, the Federal Emergency*
3 *Management Agency or the First Responder Network Authority.*

4 4. *The Governor shall appoint two Co-Chairs of the*
5 *Committee from the membership of the Committee. At least one of*
6 *the Co-Chairs must be a representative of a state agency.*

7 5. *The Committee may select one of the Co-Chairs to serve as*
8 *a delegate of the Committee to represent the interests of the*
9 *Committee for the purposes of gathering information and*
10 *government relations on matters relating to FirstNet.*

11 **Sec. 32.** 1. *The Committee shall meet at the call of either of*
12 *the Co-Chairs as frequently as required to perform its duties, but*
13 *not less than quarterly.*

14 2. *A majority of the voting members of the Committee*
15 *constitutes a quorum for the transaction of business, and a*
16 *majority of those voting members present at any meeting is*
17 *sufficient for any official action taken by the Committee.*

18 3. *The Committee and any subcommittee appointed pursuant*
19 *to section 35 of this act shall comply with the provisions of chapter*
20 *241 of NRS and shall conduct all meetings in accordance with*
21 *that chapter.*

22 **Sec. 33.** 1. *Each member of the Committee who is not a*
23 *public employee is entitled to receive compensation of not more*
24 *than \$80 per day, as fixed by the Committee, while engaged in the*
25 *business of the Committee.*

26 2. *A member of the Committee who is a public employee may*
27 *not receive any compensation for his or her services as a member*
28 *of the Committee. Any member of the Committee who is a public*
29 *employee must be granted administrative leave from the member's*
30 *duties to engage in the business of the Committee without loss of*
31 *his or her regular compensation. Such leave does not reduce the*
32 *amount of the member's other accrued leave.*

33 3. *In addition to any compensation received pursuant to this*
34 *section, while engaged in the business of the Committee, each*
35 *member and employee of the Committee is entitled to receive the*
36 *per diem allowance and travel expenses provided for state officers*
37 *and employees generally.*

38 **Sec. 34.** *The Committee shall:*

39 1. *Advise the Nevada Commission on Homeland Security on*
40 *the compatibility and interoperability of information systems and*
41 *systems of communication used by response agencies within this*
42 *State.*

43 2. *Advise the State Administrative Agent on all*
44 *communications concerning funding, including, without*
45 *limitation, the prioritization of the investment made by the State in*



1 *communications systems and the advancement of statewide*
2 *communications and interoperability goals.*

3 3. *Serve as the coordinating body for communications*
4 *systems operating within the State, including, without limitation,*
5 *statewide, federal, tribal, local and discipline-specific systems.*

6 4. *Serve as the applicable state agency for issues related to*
7 *public safety communication and involving the Federal*
8 *Communications Commission. For such purposes, the Committee*
9 *may identify itself as the Statewide Interoperability Executive*
10 *Committee.*

11 5. *Develop guidance for the Coordinator on how to improve*
12 *operational and interoperable communications in the State, and*
13 *perform an annual review of this guidance. For such purposes,*
14 *the Committee may identify itself as the Statewide Interoperability*
15 *Governing Body, and may identify the guidance it develops as the*
16 *Statewide Communications Interoperability Plan.*

17 6. *Advise the Coordinator.*

18 7. *Perform an annual review of the State 911 Plan and*
19 *provide the Coordinator with guidance on how to improve*
20 *operational and interoperable 911 systems in the State.*

21 8. *Designate, as appropriate, working groups and*
22 *subcommittees to address issues facing interoperable*
23 *communications in Nevada, including, without limitation:*

24 (a) *911 systems;*

25 (b) *Governmental agencies, and divisions thereof, which*
26 *provide dispatch services; and*

27 (c) *Nevada's participation in FirstNet.*

28 9. *Support outreach and education on existing, new and*
29 *emerging 911 systems affecting Nevada first responders and*
30 *agencies.*

31 10. *Advise the Governor to opt-in or opt-out of FirstNet.*

32 11. *Provide recommendations to the Coordinator and state*
33 *and local governments for the purpose of fulfilling any state or*
34 *federal mandates concerning 911 systems.*

35 **Sec. 35. 1.** *Either Co-Chair of the Committee may, with the*
36 *approval of the Committee, appoint any subcommittees that*
37 *the respective Co-Chair deems necessary to assist in carrying out*
38 *the duties of the Committee. The respective Co-Chair shall appoint*
39 *to the subcommittee the number of voting members or nonvoting*
40 *members, or both, that the Co-Chair determines to be appropriate.*
41 *The respective Co-Chair may appoint any person the Co-Chair*
42 *deems appropriate to serve on a subcommittee, except that a*
43 *subcommittee must include at least one member of the Committee.*
44 *At its first meeting and annually thereafter, a subcommittee shall*



1 *select a chair and a vice chair from the members of the*
2 *subcommittee.*

3 *2. If a member of a subcommittee formed pursuant to*
4 *subsection 1 is a public employee, the member's employer must*
5 *grant the member administrative leave from his or her duties to*
6 *serve on the subcommittee without loss of the member's regular*
7 *compensation and without reducing the amount of any other*
8 *accrued leave the member may have.*

9 **Sec. 36.** *The Governor shall provide such staff assistance to*
10 *the Committee as the Governor deems appropriate and may*
11 *designate a state agency to provide such assistance.*

12 **Sec. 37. 1.** *The State 911 Account is hereby created in the*
13 *State General Fund.*

14 *2. The Coordinator shall administer the State 911 Account.*

15 *3. Any revenue received from the following sources must be*
16 *deposited with the State Treasurer for credit to the State 911*
17 *Account:*

18 *(a) The 911 Grant Program pursuant to 47 C.F.R. § 400.4;*

19 *(b) Gifts, grants, contributions or other money pursuant to*
20 *section 28 of this act;*

21 *(c) The surcharge imposed pursuant to section 29 of this act;*
22 *and*

23 *(d) The excise tax imposed pursuant to section 30 of this act.*

24 *4. Except as otherwise provided in subparagraph (3) of*
25 *paragraph (c), all expenditures from the State 911 Account must*
26 *be approved in advance by the Coordinator. The money in the*
27 *State 911 Account:*

28 *(a) If received from the 911 Grant Program pursuant to 47*
29 *C.F.R. § 400.4, may only be expended in accordance with the*
30 *provisions of the 911 Grant Program pursuant to 47 C.F.R. §*
31 *400.4;*

32 *(b) If received by some other means as set forth in paragraph*
33 *(b), (c) or (d) of subsection 3, must be expended to fund county*
34 *911 coordinators that are appointed and approved pursuant to*
35 *section 38 of this act; and*

36 *(c) If received by some other means as set forth in paragraph*
37 *(b), (c) or (d) of subsection 3, may be expended:*

38 *(1) To enable the Coordinator to carry out his or her duties*
39 *and responsibilities as set forth in sections 2 to 38, inclusive, of*
40 *this act;*

41 *(2) To enable the Committee to carry out its duties as set*
42 *forth in section 34 of this act; or*

43 *(3) For any other purpose authorized by the Legislature.*



1 **5. The Coordinator may use not more than 5 percent of the**
2 **money collected in a fiscal year pursuant to subsection 3 for**
3 **administrative expenses.**

4 **6. Beginning with the fiscal year that begins on July 1, 2022,**
5 **the Coordinator shall, at the end of each quarter of a fiscal year,**
6 **submit to the Interim Finance Committee a report of the**
7 **expenditures made from the State 911 Account for the previous**
8 **quarter.**

9 **7. The Coordinator may adopt such regulations as are**
10 **necessary to administer the State 911 Account.**

11 **8. Money in the State 911 Account does not revert to the State**
12 **General Fund at the end of a fiscal year. The interest and income**
13 **earned on the money in the State 911 Account, after deducting any**
14 **applicable charges, must be credited to the State 911 Account. Any**
15 **claims against the State 911 Account must be paid as other claims**
16 **against the State are paid.**

17 **Sec. 38. 1. Each county in this State shall appoint a county**
18 **911 coordinator who must be approved by and work under the**
19 **supervision of the Coordinator.**

20 **2. Each county 911 coordinator shall assist the Coordinator**
21 **in determining:**

22 **(a) Equipment and services needs for 911 systems; and**

23 **(b) Perform such other services as requested by the**
24 **Coordinator.**

25 **3. Two or more counties jointly may create one county 911**
26 **coordinator to service those counties.**

27 **Sec. 39.** NRS 480.130 is hereby amended to read as follows:

28 480.130 The Department consists of:

- 29 1. An Investigation Division;
- 30 2. A Nevada Highway Patrol Division;
- 31 3. A Division of Emergency Management;
- 32 4. A State Fire Marshal Division;
- 33 5. A Division of Parole and Probation;
- 34 6. A Capitol Police Division;
- 35 7. A Nevada Office of Cyber Defense Coordination;
- 36 8. A Training Division; ~~and~~
- 37 9. A Records, Communications and Compliance Division ~~;~~ ;

38 **and**

39 **10. The Office of the Nevada Statewide 911 Coordinator.**

40 **Sec. 40.** NRS 480.140 is hereby amended to read as follows:

41 480.140 The primary functions and responsibilities of the
42 divisions of the Department are as follows:

- 43 1. The Investigation Division shall:



1 (a) Execute, administer and enforce the provisions of chapter
2 453 of NRS relating to controlled substances and chapter 454 of
3 NRS relating to dangerous drugs;

4 (b) Assist the Secretary of State in carrying out an investigation
5 pursuant to NRS 293.124; and

6 (c) Perform such duties and exercise such powers as may be
7 conferred upon it pursuant to this chapter and any other specific
8 statute.

9 2. The Nevada Highway Patrol Division shall, in conjunction
10 with the Department of Motor Vehicles, execute, administer and
11 enforce the provisions of chapters 484A to 484E, inclusive, of NRS
12 and perform such duties and exercise such powers as may be
13 conferred upon it pursuant to NRS 480.360 and any other specific
14 statute.

15 3. The Division of Emergency Management shall execute,
16 administer and enforce the provisions of chapters 414 and 414A of
17 NRS and perform such duties and exercise such powers as may be
18 conferred upon it pursuant to chapters 414 and 414A of NRS and
19 any other specific statute.

20 4. The State Fire Marshal Division shall execute, administer
21 and enforce the provisions of chapter 477 of NRS and perform such
22 duties and exercise such powers as may be conferred upon it
23 pursuant to chapter 477 of NRS and any other specific statute.

24 5. The Division of Parole and Probation shall execute,
25 administer and enforce the provisions of chapters 176A and 213 of
26 NRS relating to parole and probation and perform such duties and
27 exercise such powers as may be conferred upon it pursuant to those
28 chapters and any other specific statute.

29 6. The Capitol Police Division shall assist in the enforcement
30 of subsection 1 of NRS 331.140.

31 7. The Nevada Office of Cyber Defense Coordination shall:

32 (a) Serve as the strategic planning, facilitating and coordinating
33 office for cybersecurity policy and planning in this State; and

34 (b) Execute, administer and enforce the provisions of NRS
35 480.900 to 480.950, inclusive, and perform such duties and exercise
36 such powers as may be conferred upon it pursuant to NRS 480.900
37 to 480.950, inclusive, and any other specific statute.

38 8. The Training Division shall provide training to the
39 employees of the Department.

40 9. The Records, Communications and Compliance Division
41 shall:

42 (a) Execute, administer and enforce the provisions of chapter
43 179A of NRS and perform such duties and exercise such powers as
44 may be conferred upon it pursuant to chapter 179A of NRS and any
45 other specific statute;



1 (b) Provide dispatch services for the Department and other
2 agencies as determined by the Director;

3 (c) Maintain records of the Department as determined by the
4 Director; and

5 (d) Provide support services to the Director, the divisions of the
6 Department and the Nevada Criminal Justice Information System as
7 may be imposed by the Director.

8 ***10. The Office of the Nevada Statewide 911 Coordinator shall***
9 ***assist the Nevada Statewide 911 Coordinator in executing,***
10 ***administering and enforcing the provisions of sections 2 to 38,***
11 ***inclusive, of this act.***

12 **Sec. 41.** NRS 244A.7646 is hereby amended to read as
13 follows:

14 244A.7646 1. If a customer of a supplier of mobile telephone
15 service believes that the amount of a surcharge imposed pursuant to
16 NRS 244A.7643 ***or section 29 of this act*** or the designation of a
17 place of primary use is incorrect, the customer may notify the
18 supplier of mobile telephone service in writing of the alleged error.
19 The notice must include:

20 (a) The street address for the place of primary use of the
21 customer;

22 (b) The account number and name shown on the billing
23 statement of the account for which the customer alleges the error;

24 (c) A description of the alleged error; and

25 (d) Any other information which the supplier of mobile
26 telephone service may reasonably require to investigate the alleged
27 error.

28 2. Within 60 days after receiving a notice sent pursuant to
29 subsection 1, the supplier of mobile telephone service shall review
30 the records that the supplier of mobile telephone service uses to
31 determine the place of primary use of its customers.

32 3. If the review indicates:

33 (a) That the alleged error exists, the supplier of mobile telephone
34 service shall correct the error and refund or credit the customer for
35 the amount which was erroneously collected for the applicable
36 period, not to exceed the 24 months immediately preceding the date
37 on which the customer notified the supplier of mobile telephone
38 service of the alleged error.

39 (b) That no error exists, the supplier of mobile service shall
40 provide a written explanation to the customer who alleged the error.

41 4. A customer may not bring a cause of action against a
42 supplier of mobile telephone service for surcharges incorrectly
43 imposed pursuant to NRS 244A.7643 ***or section 29 of this act***
44 unless the customer first complies with this section.



1 **Sec. 42.** NRS 704.685 is hereby amended to read as follows:

2 704.685 1. Except as otherwise provided in subsection 2, a
3 state agency or political subdivision of the State may not, directly or
4 indirectly, regulate the rates charged for, service or contract terms
5 for, conditions for, or requirements for entry for Internet Protocol-
6 enabled service or Voice over Internet Protocol service.

7 2. The provisions of subsection 1 must not be construed to:

8 (a) Affect or limit the enforcement of criminal or civil laws,
9 including, without limitation, laws concerning consumer protection
10 and unfair or deceptive trade practices, that apply generally to the
11 conduct of business;

12 (b) Affect, mandate or prohibit:

13 (1) The assessment of taxes, fees or surcharges which are of
14 general applicability or which are otherwise authorized by statute;

15 ~~for~~

16 (2) The levy and collection of the assessment required by
17 NRS 704.033 from a provider of Voice over Internet Protocol
18 service that has a certificate of public convenience and necessity; or

19 ***(3) The surcharge levied and collected pursuant to section***
20 ***29 of this act from a supplier of Internet Protocol-enabled service***
21 ***or Voice over Internet Protocol Service; or***

22 (c) Affect or modify:

23 (1) Any right or obligation of any telecommunication
24 provider, or the authority granted to the Commission pursuant to 47
25 U.S.C. §§ 251 and 252, including, without limitation, any authority
26 granted to the Commission to address or affect the resolution of
27 disputes regarding reciprocal compensation and interconnection;

28 (2) Any obligation relating to the provision of video service
29 by any person pursuant to chapter 711 of NRS;

30 (3) Any applicable wholesale tariff; or

31 (4) Any authority granted to the Commission pursuant to 47
32 U.S.C. §§ 214(e) and 254(f).

33 3. As used in this section:

34 (a) "Internet Protocol-enabled service" means any service,
35 functionality or application which uses Internet Protocol or a
36 successor protocol that enables an end-user to send or receive voice,
37 data or video communications. The term does not include Voice
38 over Internet Protocol service.

39 (b) "Voice over Internet Protocol service" means any service
40 that:

41 (1) Enables real-time, two-way voice communication
42 originating from or terminating at the user's location in Internet
43 Protocol or a successor protocol;

44 (2) Uses a broadband connection from the user's location;
45 and



1 (3) Permits a user to receive a call that originates on the
2 public switched telephone network and to terminate a call to the
3 public switched telephone network.

4 **Sec. 43.** 1. This section becomes effective upon passage and
5 approval.

6 2. Sections 1 to 42, inclusive, of this act become effective:

7 (a) Upon passage and approval for the purpose of adopting any
8 regulations and performing any other preparatory administrative
9 tasks that are necessary to carry out the provisions of this act; and

10 (b) On January 1, 2022, for all other purposes.

