

SESSION OF 2024

SUPPLEMENTAL NOTE ON SENATE BILL NO. 487

As Amended by Senate Committee on Utilities

Brief*

SB 487, as amended, would update the Kansas 911 Act and authorize the 911 Coordinating Council (Council) to allow governing bodies to contract with another governing body of a public safety answering point (PSAP) operated by a city or county for the provision of 911 services.

911 Coordinating Council Term Length and Limits

The bill would remove certain Council membership requirements and remove automatic reappointment to the Council. The bill would clarify the service term of voting Council members to be three years for a maximum of two terms, with the exception of Council members who are appointed by the Legislature, as determined by continuing law.

Reporting Requirements

The bill would update the uniform reporting of how moneys, including 911 fees, have been spent by the PSAPs to include governing bodies that contract with another governing body of a PSAP for the provision of 911 services.

Funds Distribution

[*Note:* A “local collection point administrator” (LCPA) is defined in continuing law as a person designated by the

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

Council to collect and distribute 911 fees, 911 operations fund moneys, and 911 state grant fund moneys.]

The bill would clarify that an LCPA would be required to distribute moneys from 911 fees and prepaid wireless 911 fees to PSAPs or governing bodies that contract with another governing body of a PSAP for the provision of 911 services.

The bill would also require specific fund distributions by an LCPA under certain circumstances:

- If the calculated amount of funding distributed by the LCPA to a county is less than \$60,000, then \$60,000 would be distributed for services within that county;
- If there is a single PSAP providing services within a county, the PSAP would receive the governing body's distribution, if any; or
- If there are multiple PSAPs within a county, then distributions to each PSAP would be split proportionally between the PSAPs in the county, based on the population of the area each PSAP serves.

Contract or Memorandum of Agreement

The bill would allow a governing body to contract with another governing body of a PSAP for the provision of some or all PSAP services.

Contingency Plans and Overflow Arrangements

The bill would require that when a governing body contracts with another governing body of a PSAP for services, the contract or memorandum of agreement (MOA) would contain provisions that address contingency plans and overflow arrangements.

These provisions would be reviewed by the Council, and if the Council determines that any portion of the provisions conflict with the function of the statewide 911 system or finds the provisions not acceptable, the Council and governing bodies would be required to collaborate and work to resolve any concerns prior to the effective date of the contract or MOA.

Funding Amounts

The bill would require that when a governing body enters into a contract or MOA with another governing body of a PSAP, an agreed upon percentage of the governing body's distribution amount for the LCPA to distribute must be established.

Use of Moneys

The bill would add to the list of approved uses for the funds to include maintenance and updates that are necessary to maintain accurate GIS data.

[Note: "GIS" is defined in continuing law as a geographic information system for capturing, storing, displaying, analyzing, and managing data and associated attributes that are spatially referenced.]

Technical Amendments

The bill would also make technical changes and remove outdated provisions.

Background

The bill was introduced by the Senate Committee on Federal and State Affairs at the request of Senator Petersen.

Senate Committee on Utilities

In the Senate Committee hearing, **proponent** testimony was provided by Senator Francisco, Senator Petersen, and a representative of the Kansas Association of Chiefs of Police, Kansas Sheriffs Association, and Kansas Peace Officers Association (Associations). The proponents stated the bill is a result of a post audit conducted on the 911 system. They noted the bill would clarify current law to specifically state counties can contract with other counties or cities to consolidate and provide PSAP services. The bill would specify how the fee moneys for the 911 services are to be distributed consistent with this clarification because the moneys must be distributed and used in a statutorily defined manner.

The representative of the Associations brought forward recommendations to further clarify the bill:

- Replace the word “county” with “governing body of the PSAP” throughout the bill; and
- Change the percentage of distribution to counties from 50.0 percent to a percentage agreed upon by the contracting parties for the purpose of PSAP services.

No other testimony was provided.

The Senate Committee amended the bill to:

- Replace certain references of “county” with “governing body” or “governing body of the PSAP”;
- Require an agreed-upon percentage of the governing body’s distribution amount for the LCPA to distribute; and
- Allow funds to be used to maintain and update accurate GIS data.

Fiscal Information

According to the fiscal note prepared by the Division of the Budget on the bill, as introduced, the Kansas Association of Counties states that because the bill would allow counties to share resources, it could save counties money if they wish to contract with other counties. However, the fiscal effect cannot be estimated.

Utilities; Kansas 911 Act; public safety answering points; PSAPs; local collection point administrator; LCPA