

12-10-305. Arkansas 911 Board

(a)(1) There is created the Arkansas 911 Board to consist of the following members:

(A) The Director of the Division of Emergency Management or his or her designee;

(B) The Auditor of State or his or her designee;

(C) The State Geographic Information Officer of the Arkansas Geographic Information Systems Office or his or her designee;

(D) One (1) county judge appointed by the Association of Arkansas Counties;

(E) One (1) mayor appointed by the Arkansas Municipal League;

(F) One (1) 911 coordinator, director, or telecommunicator appointed by the Speaker of the House of Representatives;

(G) One (1) 911 coordinator, director, or telecommunicator appointed by the President Pro Tempore of the Senate;

(H) One (1) police chief appointed by the Arkansas Association of Chiefs of Police; and

(I) The following members to be appointed by the Governor:

(i) One (1) Emergency Management Director of a political subdivision;

(ii) One (1) sheriff;

(iii) One (1) representative of emergency medical services; and

(iv) One (1) fire chief.

(2)(A) The members under subdivisions (a)(1)(G), (a)(1)(I)(i), (a)(1)(I)(iii), and (a)(1)(I)(iv) of this section shall serve a term of two (2) years.

(B) The members under subdivisions (a)(1)(D), (a)(1)(E), (a)(1)(F), (a)(1)(H), and (a)(1)(I)(ii) of this section shall serve a term of four (4) years.

(3) Vacancies shall be filled in the same manner as the original appointment and each member shall serve until a qualified successor is appointed.

(4) The Director of the Division of Emergency Management shall serve as the chair and call the first meeting no later than thirty (30) days after the appointment of the majority of the members of the Arkansas 911 Board.

(5) The Arkansas 911 Board shall establish bylaws.

(b) The duties of the Arkansas 911 Board shall include without limitation:

(1)(A) Developing a plan no later than January 1, 2022, to provide funding for no more than seventy-seven (77) public safety answering points to operate in the state.

(B) If the Arkansas 911 Board determines it is necessary, the Arkansas 911 Board may provide funding for more or fewer than seventy-seven (77) public safety answering points with a two-thirds (2/3) vote of the Arkansas 911 Board;

(2) Within one (1) year of July 24, 2019, promulgating rules necessary to:

(A) Establish guidelines for Arkansas public safety answering points in accordance with the Association of Public-Safety Communications Officials International, Inc. and the National Emergency Number Association;

(B) Create standards for public safety answering point interoperability between counties and states; and

(C) Assist all public safety answering points in implementing a next generation 911 system in the State of Arkansas;

(3) Receiving and reviewing all 911 certifications submitted by public safety answering points in accordance with standards developed by the Arkansas 911 Board;

(4) Auditing any money expended by a political subdivision for the operation of a service supplier;

(5)(A) Providing an annual report to the Governor and the Legislative Council.

(B) The report shall include a review and assessment of sustainability and the feasibility of further reduction of the required number of public safety answering points resulting from the standardization of operational processes and training and the implementation of next generation 911 service;

(6) Establishing and maintaining an interest-bearing account into which shall be deposited revenues transferred to the Arkansas 911 Board from the Arkansas Public Safety Trust Fund and the Arkansas Emergency Telephone Services Board; and

(7) Managing and disbursing the funds from the interest-bearing account described in subdivision (b)(6) of this section.

(c) The Arkansas 911 Board shall have all powers necessary to fulfill the duties of the Arkansas 911 Board, including without limitation power to enter, assign, and assume contracts.

(d) The Arkansas 911 Board shall disburse from the interest-bearing account described in subdivision (b)(6) of this section in the following manner:

(1)(A) Not less than eighty-three and seventy-five hundredths percent (83.75%) of the total monthly revenues shall be distributed on a population basis to each political subdivision operating a public safety answering point that has the capability of receiving 911 calls on dedicated 911 trunk lines for expenses incurred for answering, routing, and proper disposition of 911 calls, including payroll costs, readiness costs, and training costs associated with wireless, voice over internet protocol, and nontraditional 911 calls.

(B) In determining the population basis for distribution of funds, the Arkansas 911 Board shall determine, based on the latest federal decennial census, the population of:

(i) All unincorporated areas of counties operating a public safety answering point that has the capacity to receive commercial mobile radio service, voice over internet protocol service, or nontraditional 911 calls on dedicated 911 trunk lines; and

(ii) All incorporated areas of counties operating a public safety answering point that has the capacity to receive commercial mobile radio service, voice over protocol service, or nontraditional 911 calls on dedicated 911 trunk lines;

(2)(A) Not more than fifteen percent (15%) of the total monthly revenues may be used:

(i) To purchase a statewide infrastructure for next generation 911, including without limitation ESINet, connectivity costs, and next generation 911 components and equipment; and

(ii) By public safety answering points for upgrading, purchasing, programming, installing, and maintaining necessary data, basic 911 geographic information system mapping, hardware, and software, including any network elements required to supply enhanced 911 phase II cellular, voice over internet protocol, and other nontraditional telephone services, in connection with compliance with Federal Communications Commission requirements.

(B)(i) A political subdivision operating a public safety answering point shall present invoices to the Arkansas 911 Board in connection with any request for reimbursement under subdivision (d)(2)(A)(ii) of this section.

(ii) A request for reimbursement shall be approved by a majority vote of the Arkansas 911 Board.

(C) Any invoices presented to the Arkansas 911 Board for reimbursements of costs not described by subdivision (d)(2)(B)(ii) of this section may be approved only by a majority vote of the Arkansas 911 Board;

(3) Not more than one and twenty-five hundredths (1.25%) of the monthly revenues may be used by the Arkansas 911 Board to compensate the independent auditor and for administrative expenses, staff, and consulting services; and

(4) All interest received shall be disbursed as prescribed in this subsection.

(e) The Arkansas 911 Board may:

(1) Withhold for no less than six (6) months any additional revenue generated by the public safety charge and the prepaid public safety charge under this subchapter; and

(2) Calculate a monthly payment amount based on the prior calendar year certifications and remit that amount to the eligible governing body on a monthly basis.

(f)(1) All cities and counties operating a public safety answering point shall submit to the Arkansas 911 Board no later than April 1 of each calendar year the following information in the form of a report:

(A) An explanation and accounting of the funds received by the city or county and expenditures of the funds received for the previous calendar year, along with a copy of the budget for the previous calendar year and a copy of the year-end appropriation and expenditure analysis of any participating or supporting counties, cities, or agencies;

(B) Any information requested by the Arkansas 911 Board concerning local public safety answering point operations, facilities, equipment, personnel, network, interoperability, call volume, telecommunicator training, and supervisor training;

(C) A copy of all documents reflecting 911 funds received for the previous calendar year, including without limitation wireless, wireline, general revenues, sales taxes, and other sources used by the city or county for 911 services; and

(D) The name of each telecommunicator, the telecommunicator's date of hire, the telecommunicator's date of termination, if applicable, and approved courses by the Arkansas Commission on Law Enforcement Standards and Training completed by the telecommunicator, including without limitation "train the trainer" courses.

(2) The chief executive for each public safety answering point shall gather the information necessary for the report under subdivision (f)(1) of this section and provide the report and a copy of the certification of the public safety answering point to the Arkansas 911 Board and to the county intergovernmental coordination council for use in conducting the annual review of services under § 14-27-104.

(g) The Arkansas 911 Board may withhold all or part of the disbursement to a public safety answering point if the report of an auditor or the Arkansas 911 Board otherwise confirms that the public safety answering point improperly used funds disbursed by the Arkansas 911 Board for purposes other than those authorized by § 12-10-323.

(h)(1) Each county shall complete locatable address conversion of 911 physical address, assignment, and mapping within the county and certify to the Arkansas 911 Board that the locatable address conversion is completed no later than the last business day of February 2020.

(2) Failure to comply with this section may result in the Arkansas 911 Board's withholding funds from the public safety answering point.

(i) The Arkansas 911 Board may contract for 911 services in the implementation of the next generation 911.

(j)(1) The Director of the Division of Emergency Management may:

(A) Enter, assign, assume, and execute contract extensions that would otherwise lapse during the transition period between the Arkansas Emergency Telephone Services Board and the Arkansas 911 Board; and

(B) Work with the Arkansas Emergency Telephone Services Board to ensure a smooth transition between the Arkansas Emergency Telephone Services Board and the Arkansas 911 Board.

(2) The Arkansas Emergency Telephone Services Board shall continue to receive and disburse funds and continue operations up to the last business day of December 2019.

(3) All emergency telephone service charges collected but not yet disbursed, other moneys, and any remaining balance in the interest-bearing account of the Arkansas Emergency Telephone Services Board shall be transferred to the Arkansas 911 Board by the last business day of December 2019.