



## 96TH GENERAL ASSEMBLY

### State of Illinois

2009 and 2010

SB0074

Introduced 1/30/2009, by Sen. William R. Haine

#### SYNOPSIS AS INTRODUCED:

50 ILCS 750/15.7 new  
220 ILCS 5/13-900 new

Amends the Emergency Telephone System Act. Provides that all 9-1-1 system providers must comply with specified requirements in the Public Utilities Act. Amends the Public Utilities Act. Provides that, beginning July 1, 2010, it shall be unlawful for any 9-1-1 system provider to offer or provide or seek to offer or provide to any emergency telephone system board or 9-1-1 system, or agent, representative, or designee thereof, any network and database service used or intended to be used by any emergency telephone system board or 9-1-1 system for the purpose of answering, transferring, or relaying requests for emergency services, or dispatching public safety agency personnel in response to requests for emergency services, unless the 9-1-1 system provider has applied for and received a Certificate of 9-1-1 System Provider Authority from the Illinois Commerce Commission. Provides that no incumbent local exchange carrier that provides, as of the effective date of the amendatory Act, any 9-1-1 network or 9-1-1 database service used or intended to be used by any Emergency Telephone System Board or 9-1-1 system, shall be required to obtain a Certificate of 9-1-1 System Provider Authority under specified provisions. Provides that any and all enforcement authority granted to the Commission under specified provisions shall apply exclusively to 9-1-1 system providers granted a Certificate of Service Authority. Effective immediately.

LRB096 01324 MJR 11332 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Emergency Telephone System Act is amended by  
5 adding Section 15.7 as follows:

6 (50 ILCS 750/15.7 new)

7 Sec. 15.7. Compliance with certification of 9-1-1 system  
8 providers by the Illinois Commerce Commission. In addition to  
9 the requirements of this Section, all 9-1-1 system providers  
10 must comply with the requirements of Section 13-900 of the  
11 Public Utilities Act.

12 Section 10. The Public Utilities Act is amended by adding  
13 Section 13-900 as follows:

14 (220 ILCS 5/13-900 new)

15 (Section scheduled to be repealed on July 1, 2009)

16 Sec. 13-900. Authority to serve as 9-1-1 system provider;  
17 rules.

18 (a) The General Assembly finds that it is necessary to  
19 require the certification of 9-1-1 system providers to ensure  
20 the safety of the lives and property of Illinoisans and  
21 Illinois businesses, and to otherwise protect and promote the

1 public safety, health, and welfare of the citizens of this  
2 State and their property.

3 (b) For purposes of this Section:

4 "9-1-1 system" has the same meaning as that term is  
5 defined in Section 2.19 of the Emergency Telephone System  
6 Act.

7 "9-1-1 system provider" means any person, corporation,  
8 limited liability company, partnership, sole  
9 proprietorship, or entity of any description whatever that  
10 acts as a system provider within the meaning of Section  
11 2.18 of the Emergency Telephone System Act.

12 "Emergency Telephone System Board" has the same  
13 meaning as that term is defined in Sections 2.11 and 15.4  
14 of the Emergency Telephone System Act.

15 "Public safety agency personnel" means personnel  
16 employed by a public safety agency, as that term is defined  
17 in Section 2.02 of the Emergency Telephone System Act,  
18 whose responsibilities include responding to requests for  
19 emergency services.

20 (c) Except as otherwise provided in this Section, beginning  
21 July 1, 2010, it is unlawful for any 9-1-1 system provider to  
22 offer or provide or seek to offer or provide to any emergency  
23 telephone system board or 9-1-1 system, or agent,  
24 representative, or designee thereof, any network and database  
25 service used or intended to be used by any emergency telephone  
26 system board or 9-1-1 system for the purpose of answering,

1 transferring, or relaying requests for emergency services, or  
2 dispatching public safety agency personnel in response to  
3 requests for emergency services, unless the 9-1-1 system  
4 provider has applied for and received a Certificate of 9-1-1  
5 System Provider Authority from the Commission. The Commission  
6 shall approve an application for a Certificate of 9-1-1 System  
7 Provider Authority upon a showing by the applicant, and a  
8 finding by the Commission, after notice and hearing, that the  
9 applicant possesses sufficient technical, financial, and  
10 managerial resources and abilities to provide network service  
11 and database services that it seeks authority to provide in its  
12 application for service authority, in a safe, continuous, and  
13 uninterrupted manner.

14 (d) No incumbent local exchange carrier that provides, as  
15 of the effective date of this amendatory Act of the 96th  
16 General Assembly, any 9-1-1 network and 9-1-1 database service  
17 used or intended to be used by any Emergency Telephone System  
18 Board or 9-1-1 system, shall be required to obtain a  
19 Certificate of 9-1-1 System Provider Authority under this  
20 Section. No entity that possesses, as of the effective date of  
21 this amendatory Act of the 96th General Assembly, a Certificate  
22 of Service Authority and provides 9-1-1 network and 9-1-1  
23 database services to any incumbent local exchange carrier as of  
24 the effective date of this amendatory Act of the 96th General  
25 Assembly shall be required to obtain a Certificate of 9-1-1  
26 System Provider Authority under this Section.

1       (e) Any and all enforcement authority granted to the  
2       Commission under this Section shall apply exclusively to 9-1-1  
3       system providers granted a Certificate of Service Authority  
4       under this Section and shall not apply to incumbent local  
5       exchange carriers that are providing 9-1-1 service as of the  
6       effective date of this amendatory Act of the 96th General  
7       Assembly.

8       Section 99. Effective date. This Act takes effect upon  
9       becoming law.