

**Second Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO**

INTRODUCED

LLS NO. 24-0947.01 Megan McCall x4215

SENATE BILL 24-139

SENATE SPONSORSHIP

Gonzales,

HOUSE SPONSORSHIP

(None),

Senate Committees
Finance

House Committees

A BILL FOR AN ACT

101 **CONCERNING THE CREATION OF THE 911 SERVICES ENTERPRISE.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

The bill creates the 911 services enterprise in the department of regulatory agencies (enterprise). The enterprise is authorized to impose a fee on service users (fee). A service user is a person who is provided a 911 access connection in the state. The fee is set annually by the enterprise and, together with the 911 surcharge that the public utilities commission (commission) imposes on service users for the benefit of meeting the needs of governing bodies to pay for basic emergency service and provide emergency telephone service (911 surcharge), must not

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

exceed \$0.50 per month per 911 access connection. The fee is collected in the same manner as the 911 surcharge. Revenue from the fee will fund expenses and costs related to the provision of 911 services, including:

- Statewide training initiatives and programs and public education campaigns;
- Cybersecurity support;
- GIS programs;
- Grant programs for the benefit of governing bodies and public safety answering points;
- Providing matching funds for federal, state, or private grants related to 911 services or emergency notification services;
- Any other items related to a statewide benefit for governing bodies and public safety answering points for 911 services; and
- Administrative expenses of the enterprise.

The bill also creates the 911 services enterprise cash fund, adds a requirement for the commission to include in its "state of 911" annual report the activity of the enterprise including its use of its revenue, and makes several technical updates to the statutes concerning the 911 surcharge and the commission's "state of 911" report.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, 29-11-101, **add** (3.5),
3 (10.5), (14.5), and (14.7) as follows:

4 **29-11-101. Definitions.** As used in this part 1, unless the context
5 otherwise requires:

6 (3.5) "911 ENTERPRISE FEE" MEANS THE FEE IMPOSED BY THE 911
7 SERVICES ENTERPRISE PURSUANT TO SECTION 29-11-108 (5)(a) AND (7).

8 (10.5) "DEPARTMENT" MEANS THE DEPARTMENT OF REGULATORY
9 AGENCIES CREATED IN SECTION 24-34-101 (1)(a).

10 (14.5) "ENTERPRISE" MEANS THE 911 SERVICES ENTERPRISE
11 CREATED IN SECTION 29-11-108 (2).

12 (14.7) "ENTERPRISE FUND" MEANS THE 911 SERVICES ENTERPRISE
13 CASH FUND CREATED IN SECTION 29-11-108 (9).

1 **SECTION 2.** In Colorado Revised Statutes, 29-11-102.3, **amend**
2 (1)(a), (1)(b), (3)(b), (3)(c)(I), and (3)(c)(III) as follows:

3 **29-11-102.3. 911 surcharge - imposition - 911 surcharge trust**
4 **cash fund - rules - report - definition.** (1) (a) Effective January 1, 2021,
5 a 911 surcharge, referred to in this section as the "surcharge", is hereby
6 imposed on service users in an amount to be established annually by the
7 commission but not to exceed fifty cents per month per 911 access
8 connection TOGETHER WITH THE 911 ENTERPRISE FEE IMPOSED PURSUANT
9 TO SECTION 29-11-108 (7)(a).

10 (b) On or before October 1, 2020, and on or before October 1 each
11 year thereafter, the commission shall establish, THROUGH A PUBLIC
12 PROCEEDING, the amount of the surcharge for the next calendar year. The
13 amount of the surcharge must be reasonably calculated to meet the needs
14 of governing bodies to ~~operate the 911 system~~ PAY FOR BASIC EMERGENCY
15 SERVICE AND PROVIDE EMERGENCY TELEPHONE SERVICE AND MUST TAKE
16 INTO CONSIDERATION THE AMOUNT OF THE 911 ENTERPRISE FEE IMPOSED
17 PURSUANT TO SECTION 29-11-108 (7)(a) AND THE BUDGETARY
18 REQUIREMENTS SET FORTH IN THIS SECTION. Upon establishing the amount
19 of the surcharge, the commission shall send notice of the new amount to
20 all service suppliers. The new amount takes effect on the following
21 January 1.

22 (3) (b) A service supplier may deduct and retain one percent of the
23 surcharges that ~~are collected by the service supplier~~ IT COLLECTS from its
24 service users IF IT TIMELY REMITS THE COLLECTED SURCHARGES TO THE
25 COMMISSION.

26 (c) (I) (A) Remittances of surcharges received by the commission
27 are collections for the local governing body, not general revenues of the

1 state, and shall be held in trust in the 911 surcharge trust cash fund, which
2 is hereby created. Except as provided in subsection (3)(c)(II) of this
3 section, the commission shall transmit the money in the 911 SURCHARGE
4 TRUST CASH fund to each governing body within sixty days after the
5 commission receives the money for use by such governing body for the
6 purposes permitted under section 29-11-104.

7 (B) REMITTANCES OF THE 911 ENTERPRISE FEE RECEIVED BY THE
8 COMMISSION ARE COLLECTIONS FOR THE ENTERPRISE, NOT GENERAL
9 REVENUE OF THE STATE, AND MUST BE HELD IN TRUST IN THE 911
10 ENTERPRISE FEE TRUST CASH FUND, WHICH IS CREATED IN THE STATE
11 TREASURY. THE COMMISSION SHALL TRANSMIT THE MONEY IN THE 911
12 ENTERPRISE FEE TRUST CASH FUND TO THE STATE TREASURER WITHIN
13 SIXTY DAYS AFTER THE COMMISSION RECEIVES THE MONEY, AND THE
14 STATE TREASURER SHALL CREDIT THE REVENUE TO THE ENTERPRISE FUND.

15 (III) The commission shall establish a formula for distribution of
16 money from the surcharge to the governing bodies PURSUANT TO
17 SUBSECTION (3)(c)(I)(A) OF THIS SECTION based upon the number of
18 concurrent sessions maintained by the PSAPs of each governing body.
19 The commission shall establish the formula by October 1 of each year.
20 The commission shall promulgate rules concerning changes to the number
21 of concurrent sessions for which a governing body is reimbursed under
22 this section. For the purposes of this section, "concurrent session" means
23 a channel for an inbound simultaneous 911 request for assistance.

24 **SECTION 3.** In Colorado Revised Statutes, **add** 29-11-108 as
25 follows:

26 **29-11-108. 911 services enterprise - creation - powers and**
27 **duties - cash fund - legislative declaration. (1) THE GENERAL**

1 ASSEMBLY FINDS AND DECLARES THAT:

2 (a) THE 911 SERVICES ENTERPRISE PROVIDES VALUABLE
3 STATEWIDE BENEFITS AND SERVICES TO TELEPHONE SERVICE USERS BY
4 FUNDING EXPENSES AND COSTS RELATED TO PROVIDING EMERGENCY
5 TELEPHONE SERVICE AND PROVIDING TRAINING, EDUCATION, AND OTHER
6 TYPES OF SUPPORT TO PSAPs, INCLUDING PROVISION OF 911 SERVICES
7 AND EMERGENCY NOTIFICATION SERVICES ON A STATEWIDE BASIS;

8 (b) BY PROVIDING THE BENEFITS AND SERVICES SPECIFIED IN
9 SUBSECTION (1)(a) OF THIS SECTION, THE 911 SERVICES ENTERPRISE
10 ENGAGES IN AN ACTIVITY CONDUCTED IN THE PURSUIT OF A BENEFIT, GAIN,
11 OR LIVELIHOOD, AND THEREFORE OPERATES AS A BUSINESS;

12 (c) CONSISTENT WITH THE DETERMINATION OF THE COLORADO
13 SUPREME COURT IN *NICHOLL V. E-470 PUBLIC HIGHWAY AUTHORITY*, 896
14 P.2d 859 (COLO. 1995), THAT THE POWER TO IMPOSE TAXES IS
15 INCONSISTENT WITH ENTERPRISE STATUS UNDER SECTION 20 OF ARTICLE
16 X OF THE STATE CONSTITUTION, IT IS THE CONCLUSION OF THE GENERAL
17 ASSEMBLY THAT THE CHARGES IMPOSED BY THE ENTERPRISE IS A FEE, NOT
18 A TAX, BECAUSE THE CHARGES ARE IMPOSED FOR THE SPECIFIC PURPOSE
19 OF ALLOWING THE ENTERPRISE TO DEFRAY THE COSTS OF PROVIDING THE
20 BENEFITS AND SERVICES SPECIFIED IN SUBSECTION (1)(a) OF THIS SECTION
21 TO TELEPHONE SERVICE USERS AND THE CHARGES ARE IMPOSED AT RATES
22 THAT ARE REASONABLY CALCULATED BASED ON THE COST OF THE
23 SERVICES RECEIVED BY TELEPHONE SERVICE USERS;

24 (d) SO LONG AS THE 911 SERVICES ENTERPRISE QUALIFIES AS AN
25 ENTERPRISE FOR PURPOSES OF SECTION 20 OF ARTICLE X OF THE STATE
26 CONSTITUTION, THE REVENUE FROM THE CHARGES IMPOSED BY THE
27 ENTERPRISE IS NOT STATE FISCAL YEAR SPENDING, AS DEFINED IN SECTION

1 24-77-102 (17), OR STATE REVENUES, AS DEFINED IN SECTION 24-77-103.6
2 (6)(c), AND DOES NOT COUNT AGAINST EITHER THE STATE FISCAL YEAR
3 SPENDING LIMIT IMPOSED BY SECTION 20 ARTICLE X OF THE STATE
4 CONSTITUTION OR THE EXCESS STATE REVENUES CAP, AS DEFINED IN
5 SECTION 24-77-103.6 (6)(b)(I); AND

6 (e) NO OTHER ENTERPRISE CREATED SIMULTANEOUSLY OR WITHIN
7 THE PRECEDING FIVE YEARS SERVES PRIMARILY THE SAME PURPOSE AS THE
8 911 SERVICES ENTERPRISE, AND THE 911 SERVICES ENTERPRISE WILL
9 GENERATE REVENUE FROM CHARGES OF LESS THAN ONE HUNDRED MILLION
10 DOLLARS TOTAL IN ITS FIRST FIVE FISCAL YEARS. ACCORDINGLY, THE
11 CREATION OF THE 911 SERVICES ENTERPRISE DOES NOT REQUIRE VOTER
12 APPROVAL PURSUANT TO SECTION 24-77-108.

13 (2) (a) THE 911 SERVICES ENTERPRISE IS CREATED IN THE
14 DEPARTMENT. THE ENTERPRISE IS AND OPERATES AS A
15 GOVERNMENT-OWNED BUSINESS WITHIN THE DEPARTMENT IN ORDER TO
16 EXECUTE ITS BUSINESS PURPOSES SPECIFIED IN SUBSECTION (5) OF THIS
17 SECTION BY EXERCISING THE POWERS AND PERFORMING THE DUTIES AND
18 FUNCTIONS SET FORTH IN THIS SECTION.

19 (b) THE ENTERPRISE IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION
20 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND
21 FUNCTIONS UNDER THE DEPARTMENT.

22 (3) THE ENTERPRISE CONSTITUTES AN ENTERPRISE FOR PURPOSES
23 OF SECTION 20 OF ARTICLE X OF THE STATE CONSTITUTION SO LONG AS IT
24 RETAINS THE AUTHORITY TO ISSUE REVENUE BONDS AND RECEIVES LESS
25 THAN TEN PERCENT OF ITS TOTAL REVENUE IN GRANTS FROM ALL
26 COLORADO STATE AND LOCAL GOVERNMENTS COMBINED. SO LONG AS IT
27 CONSTITUTES AN ENTERPRISE PURSUANT TO THIS SUBSECTION (3), THE

1 ENTERPRISE IS NOT SUBJECT TO SECTION 20 OF ARTICLE X OF THE STATE
2 CONSTITUTION.

3 (4) THE ENTERPRISE IS GOVERNED BY A BOARD OF DIRECTORS
4 APPOINTED BY THE GOVERNOR AND MUST HAVE AN ODD NUMBER OF
5 TOTAL MEMBERS. THE MEMBERS OF THE BOARD CONSIST OF A
6 REPRESENTATIVE OF THE TELECOMMUNICATIONS INDUSTRY AND AN
7 EQUAL NUMBER OF REPRESENTATIVES OF GOVERNING BODIES SERVING
8 JURISDICTIONS WITH POPULATIONS LESS THAN TWO HUNDRED THOUSAND
9 PEOPLE AND GOVERNING BODIES SERVING JURISDICTIONS WITH
10 POPULATIONS GREATER THAN TWO HUNDRED THOUSAND PEOPLE. THE
11 MAJORITY OF THE BOARD MUST BE REPRESENTATIVES OF GOVERNING
12 BODIES.

13 (5) THE ENTERPRISE'S PRIMARY POWERS AND DUTIES ARE TO:

14 (a) IMPOSE A 911 ENTERPRISE FEE ON SERVICE USERS IN
15 ACCORDANCE WITH SUBSECTION (7) OF THIS SECTION;

16 (b) FUND EXPENSES AND COSTS RELATED TO PURPOSES THAT MAY
17 INCLUDE:

18 (I) STATEWIDE TRAINING INITIATIVES AND PROGRAMS FOR PSAP
19 PERSONNEL IN EMERGENCY CALL PROCESSING, EMERGENCY DISPATCH,
20 EMERGENCY NOTIFICATION, PSAP ADMINISTRATION, AND OTHER
21 SUBJECTS INTENDED TO IMPROVE EMERGENCY TELEPHONE SERVICE AND
22 EMERGENCY NOTIFICATION SERVICE IN THE STATE, INCLUDING:

23 (A) TRAINING REGARDING THE INTEGRATION OF 988 AND 911
24 SERVICES, DE-ESCALATION TECHNIQUES, AND BEHAVIORAL HEALTH
25 EMERGENCIES;

26 (B) DEVELOPMENT OF TRAINING FOR SUPPORTING 911 CALLERS
27 WITH DISABILITIES; AND

- 1 (C) OTHER 911 RELATED TRAINING;
- 2 (II) PUBLIC EDUCATION CAMPAIGNS AND TRAINING PROGRAMS AND
3 MATERIALS RELATED TO PROPER AND APPROPRIATE USE OF 911 SERVICES
4 AND EMERGENCY NOTIFICATION SYSTEMS, INCLUDING TRAINING FOR
5 PEOPLE WITH ACCESSIBILITY CHALLENGES IN ACCESSING AND
6 INTERACTING WITH PSAPs;
- 7 (III) CYBERSECURITY SUPPORT FOR SERVICES AND SOFTWARE,
8 INCLUDING FOR EMERGENCY TELEPHONE SERVICES, EMERGENCY
9 NOTIFICATION SERVICES, AND PSAP SYSTEMS;
- 10 (IV) GIS PROGRAMS FOR THE BENEFIT OF GOVERNING BODIES AND
11 PSAPs;
- 12 (V) GRANT PROGRAMS THAT THE ENTERPRISE MAY ESTABLISH FOR
13 THE BENEFIT OF GOVERNING BODIES AND PSAPs, WHICH MAY BE LIMITED
14 TO REASONABLY-DEFINED CLASSES OF GOVERNING BODIES OR PSAPs ON
15 THE BASIS OF FINANCIAL NEED AND MAY HAVE A MATCHING MONEY
16 REQUIREMENT FOR RECEIPT;
- 17 (VI) PROVIDING MATCHING MONEY FOR FEDERAL, STATE, OR
18 PRIVATE GRANTS RELATED TO BASIC EMERGENCY SERVICE, EMERGENCY
19 TELEPHONE SERVICE, OR EMERGENCY NOTIFICATION SERVICES, SO LONG
20 AS ALL EXPENSES TO BE PAID UNDER SUCH GRANTS ARE ALLOWABLE
21 PURSUANT TO SECTION 29-11-104 AND 9 CFR 47, SUBPART I, AS
22 AMENDED;
- 23 (VII) ANY OTHER ITEMS OF BENEFIT FOR GOVERNING BODIES AND
24 PSAPs AS PROPOSED BY A GROUP OF THOSE ENTITIES OR BY STATEWIDE
25 ASSOCIATIONS REPRESENTING COLORADO 911 STAKEHOLDERS, PROVIDED
26 SUCH EXPENSES ARE ALLOWABLE PURSUANT TO SECTION 29-11-104 AND
27 9 CFR 47, SUBPART I, AS FROM TIME TO TIME AMENDED; AND

1 (VIII) ANY OTHER EXPENSES NECESSARY FOR THE
2 ADMINISTRATION OF THE ENTERPRISE AND THE EXECUTION OF ITS
3 ACTIVITIES, INCLUDING COSTS FOR SUPPORT PERSONNEL;

4 (c) ENTER INTO ANY CONTRACTS NECESSARY FOR PROFESSIONAL
5 AND TECHNICAL ASSISTANCE OR ADVICE AND TO SUPPLY OTHER SERVICES
6 RELATED TO THE CONDUCT OF THE AFFAIRS OF THE ENTERPRISE WITHOUT
7 BEING SUBJECT TO THE REQUIREMENTS OF THE "PROCUREMENT CODE",
8 ARTICLES 101 THROUGH 112 OF TITLE 24;

9 (d) BY RESOLUTION, AUTHORIZE AND ISSUE REVENUE BONDS THAT
10 ARE PAYABLE ONLY FROM THE FUND; AND

11 (e) ADOPT, AMEND, OR REPEAL POLICIES FOR THE REGULATION OF
12 ITS AFFAIRS AND THE CONDUCT OF ITS BUSINESS CONSISTENT WITH THIS
13 SECTION.

14 (6) (a) IN ADDITION TO THE POWERS AND DUTIES SET FORTH IN
15 SUBSECTION (5) OF THIS SECTION, THE ENTERPRISE SHALL USE REVENUE OF
16 THE ENTERPRISE GENERATED FROM SOURCES OTHER THAN THE 911
17 ENTERPRISE FEE TO SUPPORT EMERGENCY TELEPHONE SERVICES AND
18 EMERGENCY NOTIFICATION SERVICES IN THE STATE CONSISTENT WITH THE
19 PROVISIONS OF THIS SECTION, INCLUDING FUNDING FOR:

20 (I) PSAP FACILITIES, SERVICES, SYSTEMS, OPERATIONS,
21 PERSONNEL, TRAINING, MAINTENANCE, REPORTING, COMMUNICATIONS,
22 AND CALL PROCESSING AND RECORDING SYSTEMS; AND

23 (II) OTHER EXPENSES OF PROCESSING AND DISPATCHING CALLS FOR
24 ASSISTANCE FROM THE POINT A CALL FOR ASSISTANCE REACHES A PUBLIC
25 OR COMMERCIAL NETWORK OR SERVICE TO THE POINT THAT THE REQUEST
26 FOR ASSISTANCE AND RELATED INFORMATION IS COMMUNICATED TO FIRST
27 RESPONDERS, MENTAL HEALTH PROFESSIONALS OR PARAPROFESSIONALS,

1 OR CIVILIAN VOLUNTEERS FOR RESPONSE TO THE REPORTED INCIDENT OR
2 CIRCUMSTANCE, OR IS DELIVERED OR COMMUNICATED TO OTHER PSAPs
3 FOR PROCESSING OR DISPATCH.

4 (b) THE FUNDING THAT THE ENTERPRISE MAY PROVIDE FOR THE
5 PURPOSES SET FORTH IN SUBSECTION (6)(a) OF THIS SECTION IS NOT
6 SUBJECT TO THE RESTRICTIONS OF SECTION 29-11-104 OR 9 CFR 47,
7 SUBPART I, AS AMENDED, APPLICABLE TO USE OF PROCEEDS OF 911 FEES
8 COLLECTED FROM USERS OF TELEPHONE OR OTHER SERVICES.

9 (7)(a) IN FURTHERANCE OF ITS BUSINESS PURPOSE AND PURSUANT
10 TO THE AUTHORITY SET FORTH IN SUBSECTION (5)(a) OF THIS SECTION, THE
11 ENTERPRISE SHALL IMPOSE THE 911 SURCHARGE FEE IN AN AMOUNT TO BE
12 ESTABLISHED ANNUALLY BY THE ENTERPRISE AFTER CONSULTING WITH
13 THE COMMISSION. THE AMOUNT SHALL NOT EXCEED, TOGETHER WITH THE
14 911 SURCHARGE IMPOSED BY THE COMMISSION, THE LIMITATION OF FIFTY
15 CENTS PER MONTH PER 911 ACCESS CONNECTION SET FORTH IN SECTION
16 29-11-102.3 (1)(a). THE ENTERPRISE SHALL ESTABLISH THE 911
17 ENTERPRISE FEE BEFORE THE COMMISSION ESTABLISHES ITS SURCHARGE
18 PURSUANT TO SECTION 29-11-102.3 (1)(b). THE AMOUNT OF THE 911
19 ENTERPRISE FEE MUST BE REASONABLY CALCULATED BASED ON THE COST
20 OF THE SERVICES PROVIDED BY THE ENTERPRISE AND RECEIVED BY
21 TELEPHONE SERVICE USERS, AND THE AMOUNT IMPOSED PER 911 ACCESS
22 CONNECTION MUST BE UNIFORM, REGARDLESS OF THE TECHNOLOGY USED
23 TO PROVIDE THE CONNECTION.

24 (b) FOR THE PURPOSE OF MINIMIZING COMPLIANCE COSTS FOR
25 SERVICE USERS AND ADMINISTRATIVE COSTS FOR THE STATE, THE
26 COMMISSION SHALL COLLECT THE 911 ENTERPRISE FEE ON BEHALF OF THE
27 ENTERPRISE AND A SERVICE SUPPLIER SHALL COLLECT THE 911

1 ENTERPRISE FEE FROM ITS SERVICE USERS AND REMIT IT TO THE
2 COMMISSION IN THE SAME MANNER IT COLLECTS AND REMITS THE
3 COMMISSION'S SURCHARGE PURSUANT TO SECTION 29-11-102.3.

4 (c) THE COMMISSION SHALL TRANSMIT ANY FEES IT COLLECTS ON
5 BEHALF OF THE ENTERPRISE IN ACCORDANCE WITH SECTION 29-11-102.3
6 (3)(c)(I)(B).

7 (8) THE ENTERPRISE SHALL IMPLEMENT APPROPRIATE FINANCIAL
8 CONTROLS AND SHALL MAINTAIN A SEPARATE LEDGER ACCOUNT FOR EACH
9 PROGRAM, PROJECT, INITIATIVE, GRANT, OR OTHER SIGNIFICANT
10 CATEGORY OF ADMINISTRATIVE EXPENSES AND SOURCE OF REVENUE.

11 (9) (a) THE 911 SERVICES ENTERPRISE CASH FUND IS CREATED IN
12 THE STATE TREASURY. THE FUND CONSISTS OF MONEY CREDITED TO THE
13 FUND IN ACCORDANCE WITH THIS SECTION.

14 (b) THE STATE TREASURER SHALL CREDIT ALL INTEREST AND
15 INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE
16 FUND TO THE FUND.

17 (c) MONEY IN THE FUND IS CONTINUOUSLY APPROPRIATED. THE
18 ENTERPRISE MAY EXPEND MONEY FROM THE FUND FOR THE PURPOSES
19 OUTLINED IN SUBSECTION (5) OF THIS SECTION.

20 (d) THE BOARD MAY SEEK, ACCEPT, AND EXPEND GIFTS, GRANTS,
21 OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR THE PURPOSES OF
22 THIS SECTION, SO LONG AS THE COMBINATION OF GRANTS FROM STATE AND
23 LOCAL GOVERNMENTS IS LESS THAN TEN PERCENT OF THE ENTERPRISE'S
24 TOTAL ANNUAL REVENUE.

25 (e) THE FUND IS SUBJECT TO ALL STATE FISCAL AND ACCOUNTING
26 RULES.

27 **SECTION 4.** In Colorado Revised Statutes, 40-2-131, **amend**

1 (1)(f) and (1)(g); and **add** (1)(h) as follows:

2 **40-2-131. State of 911 report.** (1) Notwithstanding section
3 24-1-136 (11)(a)(I), on or before September 15, 2018, and on or before
4 September 15 of each year thereafter, the commission shall publish a
5 "state of 911" report and submit the report to the members of the general
6 assembly. The report must provide an overall understanding of the state
7 of 911 service in Colorado and must address, at a minimum, the
8 following:

9 (f) The state's planning for, transition to, and implementation of
10 next generation 911 AND OTHER OR FUTURE STANDARDS-BASED
11 IMPROVEMENTS TO 911, including a projected timeline for full statewide
12 implementation; ~~and~~

13 (g) A discussion of 911 funding and fiscal outlook, including
14 current funding sources and whether they are adequate for 911 service in
15 the state, and potential funding mechanisms for the transition to and
16 implementation of next generation 911 AND OTHER OR FUTURE
17 STANDARDS-BASED IMPROVEMENTS TO 911; AND

18 (h) THE ACTIVITY OF THE 911 SERVICES ENTERPRISE CREATED IN
19 SECTION 29-11-108, INCLUDING USE OF THE REVENUE OF THE 911
20 SERVICES ENTERPRISE.

21 **SECTION 5. Act subject to petition - effective date.** This act
22 takes effect at 12:01 a.m. on the day following the expiration of the
23 ninety-day period after final adjournment of the general assembly; except
24 that, if a referendum petition is filed pursuant to section 1 (3) of article V
25 of the state constitution against this act or an item, section, or part of this
26 act within such period, then the act, item, section, or part will not take
27 effect unless approved by the people at the general election to be held in

- 1 November 2024 and, in such case, will take effect on the date of the
- 2 official declaration of the vote thereon by the governor.