

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

REREVISED

*This Version Includes All Amendments
Adopted in the Second House*

LLS NO. 24-0947.01 Megan McCall x4215

SENATE BILL 24-139

SENATE SPONSORSHIP

Gonzales, Coleman, Cutter, Hinrichsen, Michaelson Jenet, Rodriguez

HOUSE SPONSORSHIP

deGruy Kennedy and Lindstedt, Amabile, Boesenecker, Brown, Clifford, Daugherty, Duran, Epps, Froelich, Hamrick, Jodeh, Kipp, Lindsay, Mauro, McCluskie, Ricks, Rutinel, Sirota, Titone, Valdez, Woodrow

Senate Committees

Finance
Appropriations

House Committees

Finance
Appropriations

A BILL FOR AN ACT

101 **CONCERNING THE CREATION OF THE 911 SERVICES ENTERPRISE, AND,**
102 **IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**

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

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.

HOUSE
3rd Reading Unamended
May 8, 2024

HOUSE
Amended 2nd Reading
May 7, 2024

SENATE
3rd Reading Unamended
April 19, 2024

SENATE
Amended 2nd Reading
April 18, 2024

meeting the needs of governing bodies to pay for basic emergency service and provide emergency telephone service (911 surcharge), must not 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 (8).

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

1 CASH FUND CREATED IN SECTION 29-11-108 (10).

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

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

11 (b) On or before October 1, 2020, and on or before October 1 each
12 year thereafter, the commission shall establish, THROUGH A PUBLIC
13 PROCEEDING, the amount of the surcharge for the next calendar year. The
14 amount of the surcharge must be reasonably calculated to meet the needs
15 of governing bodies to ~~operate the 911 system~~ PAY FOR BASIC EMERGENCY
16 SERVICE AND PROVIDE EMERGENCY TELEPHONE SERVICE AND MUST TAKE
17 INTO CONSIDERATION THE AMOUNT OF THE 911 ENTERPRISE FEE IMPOSED
18 PURSUANT TO SECTION 29-11-108 (8)(a) AND THE BUDGETARY
19 REQUIREMENTS SET FORTH IN THIS SECTION. Upon establishing the amount
20 of the surcharge, the commission shall send notice of the new amount to
21 all service suppliers. The new amount takes effect on the following
22 January 1.

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

27 (c) (I) (A) Remittances of surcharges received by the commission

1 are collections for the local governing body, not general revenues of the
2 state, and shall be held in trust in the 911 surcharge trust cash fund, which
3 is hereby created. Except as provided in subsection (3)(c)(II) of this
4 section, the commission shall transmit the money in the 911 SURCHARGE
5 TRUST CASH fund to each governing body within sixty days after the
6 commission receives the money for use by such governing body for the
7 purposes permitted under section 29-11-104.

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

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

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

27 **29-11-108. 911 services enterprise - creation - powers and**

1 **duties - cash fund - legislative declaration.** (1) THE GENERAL
2 ASSEMBLY FINDS AND DECLARES THAT:

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

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

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

25 (d) SO LONG AS THE 911 SERVICES ENTERPRISE QUALIFIES AS AN
26 ENTERPRISE FOR PURPOSES OF SECTION 20 OF ARTICLE X OF THE STATE
27 CONSTITUTION, THE REVENUE FROM THE CHARGES IMPOSED BY THE

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

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

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

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

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

1 CONSTITUTES AN ENTERPRISE PURSUANT TO THIS SUBSECTION (3), THE
2 ENTERPRISE IS NOT SUBJECT TO SECTION 20 OF ARTICLE X OF THE STATE
3 CONSTITUTION.

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

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

16 (a) IMPOSE A 911 ENTERPRISE FEE ON SERVICE USERS IN
17 ACCORDANCE WITH SUBSECTION (8) OF THIS SECTION;

18 (b) DISTRIBUTE FUNDING TO GOVERNING BODIES, PSAPs,
19 STATEWIDE 911 ORGANIZATIONS, OR THIRD PARTIES FOR THE BENEFIT OF
20 GOVERNING BODIES OR PSAPs FOR PURPOSES THAT ARE PRE-APPROVED BY
21 THE BOARD OF DIRECTORS OF THE ENTERPRISE AND ARE CONSISTENT WITH
22 APPLICABLE STATUTES, REGULATIONS, ORDINANCES, POLICIES, AND
23 PROCEDURES. THE PURPOSES MAY INCLUDE:

24 (I) FUNDING FOR TRAINING INITIATIVES AND PROGRAMS SELECTED
25 BY INDIVIDUAL GOVERNING BODIES OR PSAPs FOR PSAP PERSONNEL IN
26 EMERGENCY CALL PROCESSING, EMERGENCY DISPATCH, EMERGENCY
27 NOTIFICATION, PSAP ADMINISTRATION, AND OTHER SUBJECTS INTENDED

1 TO IMPROVE EMERGENCY TELEPHONE SERVICE AND EMERGENCY
2 NOTIFICATION SERVICE IN THE STATE, INCLUDING:

3 (A) FUNDING FOR TRAINING SELECTED BY THE INDIVIDUAL
4 GOVERNING BODIES OR PSAPs REGARDING DE-ESCALATION TECHNIQUES
5 AND BEHAVIORAL HEALTH EMERGENCIES;

6 (B) FUNDING FOR THE DEVELOPMENT OF TRAINING FOR
7 SUPPORTING 911 CALLERS WITH DISABILITIES AS DETERMINED BY
8 INDIVIDUAL GOVERNING BODIES OR PSAPs;

9 (C) FUNDING FOR THE DEVELOPMENT OF TRAINING FOR
10 RESPONDING TO 911 CALLERS WHO SPEAK LANGUAGES OTHER THAN
11 ENGLISH, INCLUDING WITH PROFESSIONAL OR OTHERWISE QUALIFIED
12 INTERPRETERS AND TRANSLATORS, AS DETERMINED BY INDIVIDUAL
13 GOVERNING BODIES OR PSAPs; AND

14 (D) OTHER 911 RELATED TRAINING;

15 (II) PUBLIC EDUCATION CAMPAIGNS FOR THE PUBLIC TO INCLUDE
16 TRAINING PROGRAMS AND MATERIALS RELATED TO PROPER AND
17 APPROPRIATE USE OF 911 SERVICES AND EMERGENCY NOTIFICATION
18 SYSTEMS, INCLUDING TRAINING FOR PEOPLE WITH ACCESSIBILITY
19 CHALLENGES IN ACCESSING AND INTERACTING WITH PSAPs. PUBLIC
20 EDUCATION CAMPAIGNS MUST USE PLAIN LANGUAGE THAT AVOIDS
21 METAPHORS AND SPELLS OUT OR AVOIDS THE USE OF ACRONYMS IN ORDER
22 TO ALLOW EASIER TRANSLATION OF THE PUBLIC EDUCATION CAMPAIGN TO
23 LANGUAGES OTHER THAN ENGLISH.

24 (III) CYBERSECURITY SUPPORT FOR SERVICES AND SOFTWARE,
25 INCLUDING FOR EMERGENCY TELEPHONE SERVICES, EMERGENCY
26 NOTIFICATION SERVICES, AND PSAP SYSTEMS;

27 (IV) GIS PROGRAMS FOR THE BENEFIT OF GOVERNING BODIES AND

1 PSAPs;

2 (V) GRANT PROGRAMS THAT THE ENTERPRISE MAY ESTABLISH FOR

3 THE BENEFIT OF GOVERNING BODIES AND PSAPs, WHICH MAY BE LIMITED

4 TO REASONABLY-DEFINED CLASSES OF GOVERNING BODIES OR PSAPs ON

5 THE BASIS OF FINANCIAL NEED AND MAY HAVE A MATCHING MONEY

6 REQUIREMENT FOR RECEIPT;

7 (VI) PROVIDING MATCHING MONEY FOR FEDERAL, STATE, OR

8 PRIVATE GRANTS RELATED TO BASIC EMERGENCY SERVICE, EMERGENCY

9 TELEPHONE SERVICE, OR EMERGENCY NOTIFICATION SERVICES, SO LONG

10 AS ALL EXPENSES TO BE PAID UNDER SUCH GRANTS ARE ALLOWABLE

11 PURSUANT TO SECTION 29-11-104 AND 9 CFR 47, SUBPART I, AS

12 AMENDED;

13 (VII) ANY OTHER ITEMS OF BENEFIT FOR GOVERNING BODIES AND

14 PSAPs AS PROPOSED BY A GROUP OF THOSE ENTITIES OR BY STATEWIDE

15 ASSOCIATIONS REPRESENTING COLORADO 911 STAKEHOLDERS, PROVIDED

16 SUCH EXPENSES ARE ALLOWABLE PURSUANT TO SECTION 29-11-104 AND

17 9 CFR 47, SUBPART I, AS FROM TIME TO TIME AMENDED; AND

18 (VIII) ANY OTHER EXPENSES NECESSARY FOR THE

19 ADMINISTRATION OF THE ENTERPRISE AND THE EXECUTION OF ITS

20 ACTIVITIES, INCLUDING COSTS FOR SUPPORT PERSONNEL;

21 (c) ENTER INTO ANY CONTRACTS NECESSARY FOR PROFESSIONAL

22 AND TECHNICAL ASSISTANCE OR ADVICE AND TO SUPPLY OTHER SERVICES

23 RELATED TO THE CONDUCT OF THE AFFAIRS OF THE ENTERPRISE WITHOUT

24 BEING SUBJECT TO THE REQUIREMENTS OF THE "PROCUREMENT CODE",

25 ARTICLES 101 THROUGH 112 OF TITLE 24;

26 (d) BY RESOLUTION, AUTHORIZE AND ISSUE REVENUE BONDS THAT

27 ARE PAYABLE ONLY FROM THE FUND; ==

1 (e) ADOPT, AMEND, OR REPEAL POLICIES FOR THE REGULATION OF
2 ITS AFFAIRS AND THE CONDUCT OF ITS BUSINESS CONSISTENT WITH THIS
3 SECTION; AND

4 (f) PREPARE AND SUBMIT AN ANNUAL FINANCIAL REPORT
5 PURSUANT TO SUBSECTION (9)(b) OF THIS SECTION.

6 (6) (a) IN ADDITION TO THE POWERS AND DUTIES SET FORTH IN
7 SUBSECTION (5) OF THIS SECTION, THE ENTERPRISE SHALL USE REVENUE OF
8 THE ENTERPRISE GENERATED FROM SOURCES OTHER THAN THE 911
9 ENTERPRISE FEE TO SUPPORT EMERGENCY TELEPHONE SERVICES AND
10 EMERGENCY NOTIFICATION SERVICES IN THE STATE CONSISTENT WITH THE
11 PROVISIONS OF THIS SECTION, INCLUDING FUNDING FOR:

12 (I) PSAP FACILITIES, SERVICES, SYSTEMS, OPERATIONS,
13 PERSONNEL, TRAINING, MAINTENANCE, REPORTING, COMMUNICATIONS,
14 AND CALL PROCESSING AND RECORDING SYSTEMS; AND

15 (II) OTHER EXPENSES OF PROCESSING AND DISPATCHING CALLS FOR
16 ASSISTANCE FROM THE POINT A CALL FOR ASSISTANCE REACHES A PUBLIC
17 OR COMMERCIAL NETWORK OR SERVICE TO THE POINT THAT THE REQUEST
18 FOR ASSISTANCE AND RELATED INFORMATION IS COMMUNICATED TO FIRST
19 RESPONDERS, MENTAL HEALTH PROFESSIONALS OR PARAPROFESSIONALS,
20 OR CIVILIAN VOLUNTEERS FOR RESPONSE TO THE REPORTED INCIDENT OR
21 CIRCUMSTANCE, OR IS DELIVERED OR COMMUNICATED TO OTHER PSAPs
22 FOR PROCESSING OR DISPATCH.

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

1 (7) THE ENTERPRISE DOES NOT HAVE AUTHORITY OVER
2 GOVERNING BODIES OR PSAPs.

3 (8) (a) IN FURTHERANCE OF ITS BUSINESS PURPOSE AND PURSUANT
4 TO THE AUTHORITY SET FORTH IN SUBSECTION (5)(a) OF THIS SECTION, THE
5 ENTERPRISE SHALL IMPOSE THE 911 ENTERPRISE FEE IN AN AMOUNT TO BE
6 ESTABLISHED ANNUALLY BY THE ENTERPRISE AFTER CONSULTING WITH
7 THE COMMISSION. THE AMOUNT SHALL NOT EXCEED, TOGETHER WITH THE
8 911 SURCHARGE IMPOSED BY THE COMMISSION, THE LIMITATION OF FIFTY
9 CENTS PER MONTH PER 911 ACCESS CONNECTION SET FORTH IN SECTION
10 29-11-102.3 (1)(a). THE ENTERPRISE SHALL ESTABLISH THE 911
11 ENTERPRISE FEE BEFORE THE COMMISSION ESTABLISHES ITS SURCHARGE
12 PURSUANT TO SECTION 29-11-102.3 (1)(b). THE AMOUNT OF THE 911
13 ENTERPRISE FEE MUST BE REASONABLY CALCULATED BASED ON THE COST
14 OF THE SERVICES PROVIDED BY THE ENTERPRISE AND RECEIVED BY
15 TELEPHONE SERVICE USERS, AND THE AMOUNT IMPOSED PER 911 ACCESS
16 CONNECTION MUST BE UNIFORM, REGARDLESS OF THE TECHNOLOGY USED
17 TO PROVIDE THE CONNECTION.

18 (b) FOR THE PURPOSE OF MINIMIZING COMPLIANCE COSTS FOR
19 SERVICE USERS AND ADMINISTRATIVE COSTS FOR THE STATE, THE
20 COMMISSION SHALL COLLECT THE 911 ENTERPRISE FEE ON BEHALF OF THE
21 ENTERPRISE AND A SERVICE SUPPLIER SHALL COLLECT THE 911
22 ENTERPRISE FEE FROM ITS SERVICE USERS AND REMIT IT TO THE
23 COMMISSION IN THE SAME MANNER IT COLLECTS AND REMITS THE
24 COMMISSION'S SURCHARGE PURSUANT TO SECTION 29-11-102.3.

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

1 (9) (a) THE ENTERPRISE SHALL IMPLEMENT APPROPRIATE
2 FINANCIAL CONTROLS AND SHALL MAINTAIN A SEPARATE LEDGER
3 ACCOUNT FOR EACH PROGRAM, PROJECT, INITIATIVE, GRANT, OR OTHER
4 SIGNIFICANT CATEGORY OF ADMINISTRATIVE EXPENSES AND SOURCE OF
5 REVENUE.

6 (b) (I) ON OR BEFORE JUNE 30, 2026, AND ON OR BEFORE JUNE
7 30 OF EACH YEAR THEREAFTER, THE ENTERPRISE SHALL PREPARE AND
8 SUBMIT AN ANNUAL FINANCIAL REPORT TO THE LEGISLATIVE COUNCIL
9 STAFF AND THE JOINT BUDGET COMMITTEE OF THE GENERAL ASSEMBLY.

10 (II) THE FINANCIAL REPORT PREPARED BY THE ENTERPRISE
11 PURSUANT TO SUBSECTION (9)(b)(I) OF THIS SECTION MUST INCLUDE THE
12 ENTERPRISE'S PROJECTED REVENUE AND EXPENDITURES AND PROPOSED
13 BUDGET FOR THE FOLLOWING FISCAL YEAR.

14 (III) THE ENTERPRISE SHALL POST A COPY OF THE ENTERPRISE'S
15 FINANCIAL REPORT ON THE ENTERPRISE'S PUBLIC WEBSITE.

16 (10) (a) THE 911 SERVICES ENTERPRISE CASH FUND IS CREATED IN
17 THE STATE TREASURY. THE FUND CONSISTS OF MONEY CREDITED TO THE
18 FUND IN ACCORDANCE WITH THIS SECTION.

19 (b) THE STATE TREASURER SHALL CREDIT ALL INTEREST AND
20 INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE
21 FUND TO THE FUND.

22 (c) MONEY IN THE FUND IS CONTINUOUSLY APPROPRIATED. THE
23 ENTERPRISE MAY EXPEND MONEY FROM THE FUND FOR THE PURPOSES
24 OUTLINED IN SUBSECTION (5) OF THIS SECTION.

25 (d) THE BOARD MAY SEEK, ACCEPT, AND EXPEND GIFTS, GRANTS,
26 OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR THE PURPOSES OF
27 THIS SECTION, SO LONG AS THE COMBINATION OF GRANTS FROM STATE AND

1 LOCAL GOVERNMENTS IS LESS THAN TEN PERCENT OF THE ENTERPRISE'S
2 TOTAL ANNUAL REVENUE.

3 (e) THE FUND IS SUBJECT TO ALL STATE FISCAL AND ACCOUNTING
4 RULES.

5 **SECTION 4.** In Colorado Revised Statutes, 40-2-131, **amend**
6 (1)(f) and (1)(g); and **add** (1)(h) as follows:

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

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

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

23 (h) THE ACTIVITY OF THE 911 SERVICES ENTERPRISE CREATED IN
24 SECTION 29-11-108, INCLUDING USE OF THE REVENUE OF THE 911
25 SERVICES ENTERPRISE.

26 **SECTION 5. Appropriation.** (1) For the 2024-25 state fiscal
27 year, \$107,695 is appropriated to the department of regulatory agencies.

1 This appropriation is from the general fund. To implement this act, the
2 department may use this appropriation as follows:

3 (a) \$61,595 for use by the public utilities commission for personal
4 services, which amount is based on an assumption that the commission
5 will require an additional 0.8 FTE;

6 (b) \$7,694 for use by the public utilities commission for operating
7 expenses; and

8 (c) \$38,406 for the purchase of legal services.

9 (2) For the 2024-25 state fiscal year, \$38,406 is appropriated to
10 the department of law. This appropriation is from reappropriated funds
11 received from the department of regulatory agencies under subsection
12 (1)(c) of this section and is based on an assumption that the department
13 of law will require an additional 0.2 FTE. To implement this act, the
14 department of law may use this appropriation to provide legal services for
15 the department of regulatory agencies.

16 **SECTION 6. Act subject to petition - effective date.** This act
17 takes effect at 12:01 a.m. on the day following the expiration of the
18 ninety-day period after final adjournment of the general assembly; except
19 that, if a referendum petition is filed pursuant to section 1 (3) of article V
20 of the state constitution against this act or an item, section, or part of this
21 act within such period, then the act, item, section, or part will not take
22 effect unless approved by the people at the general election to be held in
23 November 2024 and, in such case, will take effect on the date of the
24 official declaration of the vote thereon by the governor.