

EMERGENCY 9-1-1 ASSISTANCE FUND RULES – *Discussion Draft*

110-X-X.01 Purpose.

The Emergency 9-1-1 Assistance Fund is to provide eligible recipients with limited state financial assistance to purchase or upgrade equipment for local, regional, or state-wide emergency systems without supplanting other major sources of assistance, and to provide training to Emergency 9-1-1 Center directors. Pursuant to O.C.G.A. Sec. 50-8-8, the Emergency 9-1-1 Assistance Fund shall be administered by the Georgia Department of Community Affairs.

110-X-X.02 Definitions.

- (1) **Agency** means the Georgia Emergency Management Agency established pursuant to Code Section 38-3-20 unless the context clearly requires otherwise.
- (2) **Center** means the Georgia Public Safety Training Center.
- (3) **Department** means the Department of Community Affairs established pursuant to Code Section 50-8-1.
- (4) **Emergency 9-1-1 System or 9-1-1 System** means a telephone service, computer service, wireless service, or other service which facilitates the placing of calls by persons in need of emergency services to a public safety answering point by dialing the telephone number 9-1-1 and under which calls to 9-1-1 are answered or otherwise responded to by public safety answering points established and operated by the local government subscribing to the 9-1-1 service. The term emergency 9-1-1 system also includes enhanced 9-1-1 service which means an emergency system that provides the user with emergency 9-1-1 system service and, in addition, directs 9-1-1 calls to appropriate public safety answering points by selective routing based on the geographical location from which the call originated and provides the capability for automatic number identification and automatic location identification features.
- (5) **Emergency 9-1-1 Director** means any person having direct operational control of a public safety answering point, any person who has as part of his or her duties supervisory responsibility for one or more communication officers or other employees who answer 9-1-1 calls received by a public safety answering point, or any person who has system management responsibility for the public safety answering point.
- (6) **Eligible Recipient** means: (1) any governmental entity which operates, is in the process of implementing, or is developing a plan for the implementation of a local, regional, or state-wide emergency system; (2) the Georgia Public Safety Training Center; or, (3) the Georgia Emergency Management Agency.
- (7) **Local Government** means any city, county, military base, or political subdivision of Georgia and its agencies.
- (8) **Prepaid Wireless Service** means any method pursuant to which a customer pays a wireless service provider in advance for a wireless telecommunications connection. Such term shall include, without limitation, calling or usage privileges included with the purchase of a wireless telephone as well as additional calling or usage privileges purchased by any means, including, without limitation, a calling card, a wireless communication, or an Internet transaction.
- (9) **Advisory Committee** means the emergency 9-1-1 advisory committee created pursuant to O.C.G.A.46-5-123.

EMERGENCY 9-1-1 ASSISTANCE FUND RULES – *Discussion Draft*

110-X-X.03 Prepaid Wireless Service Emergency 9-1-1 service fees

The Department shall promulgate the necessary remittance forms to be used by prepaid wireless service suppliers in submitting Emergency 9-1-1 service fees required by O.C.G.A. Sec. 46-5-134.2 to the Department. Separate forms shall be provided for each of 5 remittance methods provided by this Code Section. Attempts will be made to identify and notify prepaid wireless service suppliers of this state requirement. However, lack of notice will not relieve any service suppliers of their legal responsibility to remit these service fees to the Department.

Service suppliers that fail to collect any of the fees required by O.C.G.A. Sec. 46-5-134.2 will not be relieved of their legal responsibility to remit to the Department the amount that should have been collected in accordance O.C.G.A. Sec. 46-5-134.2.

110-X-X.04 Funding Availability

Funding appropriated to the Department will be made available to eligible applicants in accordance with the annual application process announced and more fully described through the publication of a *notice of fund availability* (NOFA). Such NOFAs will be published on the Department's website and, at the discretion of the Department notice may also be mailed to eligible applicants, applicant associations, and/ or placed in advertisements in certain local or state publications.

110-X-X.05 Eligible Activities

Eligible activities include: (1) the purchase or upgrade of equipment related to the operation, implementation or development of a plan for the implementation of a local, regional, or state-wide emergency system; (2) the provision of professional training for directors (only the Center is eligible for funding to provide this training); and, (3) the provision of reasonable administrative costs of supporting the Advisory Committee.

110-X-X.06 Grant Applications

The Center may apply to the Department for a grant to provide to (as defined 46-5-138.2) professional training and instruction to directors on the management of public safety answering points and the establishment and operation of emergency 9-1-1 systems.

The Agency may apply to the Department for a grant for the reasonable administrative costs of supporting the Advisory Committee.

Other eligible recipients may apply for Emergency 9-1-1 Assistance Fund grants for the purchase or upgrade of equipment related to the operation, implementation or development of a plan for the implementation of a local, regional, or a state-wide emergency system. If more than one eligible recipient is party to the application, one of the eligible recipients must be designated as the lead agency, responsible for administering the grant upon award thereof.

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Applications for the purchase or upgrade of equipment related to the operation, implementation, or development of a plan for the implementation of a local, regional, or a state-wide emergency system, will be reviewed. However, only those meeting the Threshold Requirements outlined below will be rated according to one or more point systems. The point system(s) will be included in the annual NOFA and may vary from year-to-year depending on current needs as determined by the 9-1-1 Advisory Committee. Multiple point systems may be necessary to prioritize grant funds to address the categorical needs of eligible recipients. For example a portion of the funds could be allocated for eligible recipients that currently have either: basic or no wireless Emergency 9-1-1 service, recipients currently in phase I or II wireless Emergency 9-1-1 service, and/or supplemental/upgrade funding for any existing Emergency 9-1-1 Center, regardless of current level of service.

110-X-X-.07 Application Threshold Requirements

All applications for the purchase or upgrade of equipment related to the operation, implementation, or development of a plan for the implementation of a local, regional, or a state-wide emergency system must meet the following minimum threshold requirements to be rated:

- The application is submitted by one or more eligible recipients;
- The application is submitted in accordance with the procedural requirements prescribed in the NOFA
- The proposed funding is for the purchase or upgrade of equipment related to the operation, implementation, or development of a plan for the implementation of a local, regional, or a state-wide emergency system
- The proposed use of funds are for eligible activities and will be carried out in a manner consistent with the state constitution, state law and in accordance with the applicants' (or sub-recipients') enabling legislation and authority;
- Eligible recipients are in compliance, as applicable, with the following:
 - In compliance with O.C.G.A. Sec. 50–8–2(a)(18) as it relates to a “qualified local government”
 - In compliance with O.C.G.A. Sec. 36–81–8 as it relates to an “annual report of local government finances
 - If applicable, be eligible to receive solid waste grants, loans and permits as outlined in O.C.G.A. Sec. 12–8–20 et seq., as it relates to “the Comprehensive Solid Waste Management Act of 1990”; and
 - The requirements of O.C.G.A. Sec. 36–70–27 as it relates to “limitation of funding for projects inconsistent with service delivery strategy”

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110-X-X-.08 Grant Award Amounts and Matching Requirements.

The maximum award for an Emergency 9-1-1 Assistance Fund grant will be contingent upon the level of funding appropriated by General Assembly. Maximum award amounts will be announced in the NOFA. No matching funds are required for receipt of an Emergency 9-1-1 Assistance Fund grant.

110-X-X-.08 Awarding of Grant Funds.

Upon selection to receive an Emergency 9-1-1 Assistance Fund grant, the eligible recipient will enter into a grant agreement with the Department specifying the terms and conditions for the receipt of grant funds. At the time such grant agreement is signed by the eligible recipient and the Department, the Department will disburse grant funds to the eligible recipient based on a predetermined payment schedule. Final payment of grant funds shall be contingent on the eligible recipient fully satisfying the terms of the grant agreement.

The Department may award a grant subject to certain special conditions that will be incorporated in the grant agreement document. Eligible recipients will have thirty days from the date of the grant award to accept the special conditions. If the applicant fails to accept the special conditions within the 30-day period, the grant award will be withdrawn by the Department.