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SENATE BILL NO. 12—COMMITTEE ON GOVERNMENT AFFAIRS

(ON BEHALF OF THE NEVADA ASSOCIATION OF COUNTIES)

PREFILED NOVEMBER 14, 2018

Referred to Committee on Government Affairs

SUMMARY—Revises provisions governing telephone systems used for reporting emergencies. (BDR 20-475)

FISCAL NOTE: Effect on Local Government: No.  
Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

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AN ACT relating to counties; authorizing a county to use revenue collected from certain telephone surcharges to pay for an analysis or audit of the surcharges collected by a telecommunications provider; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

1 Existing law authorizes a board of county commissioners to impose a surcharge  
2 for the enhancement of the telephone system for reporting an emergency. (NRS  
3 244A.7643) If a county imposes such a surcharge, the revenue collected from the  
4 surcharge must be used only for certain purposes. (NRS 244A.7645) This bill  
5 authorizes the revenue collected from the surcharge to also be used to pay for the  
6 costs of an analysis or audit of the surcharges collected by a telecommunications  
7 provider.

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THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN  
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** NRS 244A.7645 is hereby amended to read as  
2 follows:

3 244A.7645 1. If a surcharge is imposed pursuant to NRS  
4 244A.7643 in a county whose population is 100,000 or more, the  
5 board of county commissioners of that county shall establish by  
6 ordinance an advisory committee to develop a plan to enhance the  
7 telephone system for reporting an emergency in that county and to



1 oversee any money allocated for that purpose. The advisory  
2 committee must:

3 (a) Consist of not less than five members who:

4 (1) Are residents of the county;

5 (2) Possess knowledge concerning telephone systems for  
6 reporting emergencies; and

7 (3) Are not elected public officers.

8 (b) Subject to the provisions of subparagraph (3) of paragraph  
9 (a), include the chief law enforcement officer or his or her designee  
10 from each office of the county sheriff, metropolitan police  
11 department, police department of an incorporated city within the  
12 county and department, division or municipal court of a city or town  
13 that employs marshals within the county, as applicable.

14 2. If a surcharge is imposed pursuant to NRS 244A.7643 in a  
15 county whose population is less than 100,000, the board of county  
16 commissioners of that county shall establish by ordinance an  
17 advisory committee to develop a plan to enhance or improve the  
18 telephone system for reporting an emergency in that county and to  
19 oversee any money allocated for that purpose. The advisory  
20 committee must:

21 (a) Consist of not less than five members who:

22 (1) Are residents of the county;

23 (2) Possess knowledge concerning telephone systems for  
24 reporting emergencies; and

25 (3) Are not elected public officers.

26 (b) Include a representative of an incumbent local exchange  
27 carrier which provides service to persons in that county. As used in  
28 this paragraph, "incumbent local exchange carrier" has the meaning  
29 ascribed to it in 47 U.S.C. § 251(h)(1), as that section existed on  
30 October 1, 1999, and includes a local exchange carrier that is treated  
31 as an incumbent local exchange carrier pursuant to that section.

32 (c) Subject to the provisions of subparagraph (3) of paragraph  
33 (a), include the chief law enforcement officer or his or her designee  
34 from each office of the county sheriff, metropolitan police  
35 department, police department of an incorporated city within the  
36 county and department, division or municipal court of a city or town  
37 that employs marshals within the county, as applicable.

38 3. If a surcharge is imposed in a county pursuant to NRS  
39 244A.7643, the board of county commissioners of that county shall  
40 create a special revenue fund of the county for the deposit of the  
41 money collected pursuant to NRS 244A.7643. The money in the  
42 fund must be used only:

43 (a) With respect to the telephone system for reporting an  
44 emergency:



1 (1) In a county whose population is 45,000 or more, to  
2 enhance the telephone system for reporting an emergency, including  
3 only:

4 (I) Paying recurring and nonrecurring charges for  
5 telecommunication services necessary for the operation of the  
6 enhanced telephone system;

7 (II) Paying costs for personnel and training associated  
8 with the routine maintenance and updating of the database for the  
9 system;

10 (III) Purchasing, leasing or renting the equipment and  
11 software necessary to operate the enhanced telephone system,  
12 including, without limitation, equipment and software that identify  
13 the number or location from which a call is made; and

14 (IV) Paying costs associated with any maintenance,  
15 upgrade and replacement of equipment and software necessary for  
16 the operation of the enhanced telephone system.

17 (2) In a county whose population is less than 45,000, to  
18 improve the telephone system for reporting an emergency in the  
19 county.

20 (b) With respect to purchasing and maintaining portable event  
21 recording devices and vehicular event recording devices, paying  
22 costs associated with the acquisition, maintenance, storage of data,  
23 upgrade and replacement of equipment and software necessary for  
24 the operation of portable event recording devices and vehicular  
25 event recording devices or systems that consist of both portable  
26 event recording devices and vehicular event recording devices.

27 *(c) To pay any costs associated with performing an analysis or*  
28 *audit of the surcharge fees collected by telecommunications*  
29 *providers.*

30 4. If the balance in the fund created in a county whose  
31 population is 100,000 or more pursuant to subsection 3 which has  
32 not been committed for expenditure exceeds \$5,000,000 at the end  
33 of any fiscal year, the board of county commissioners shall reduce  
34 the amount of the surcharge imposed during the next fiscal year  
35 by the amount necessary to ensure that the unencumbered balance in  
36 the fund at the end of the next fiscal year does not exceed  
37 \$5,000,000.

38 5. If the balance in the fund created in a county whose  
39 population is 45,000 or more but less than 100,000 pursuant to  
40 subsection 3 which has not been committed for expenditure exceeds  
41 \$1,000,000 at the end of any fiscal year, the board of county  
42 commissioners shall reduce the amount of the surcharge imposed  
43 during the next fiscal year by the amount necessary to ensure that  
44 the unencumbered balance in the fund at the end of the next fiscal  
45 year does not exceed \$1,000,000.



1       6. If the balance in the fund created in a county whose  
2 population is less than 45,000 pursuant to subsection 3 which has  
3 not been committed for expenditure exceeds \$500,000 at the end of  
4 any fiscal year, the board of county commissioners shall reduce the  
5 amount of the surcharge imposed during the next fiscal year by  
6 the amount necessary to ensure that the unencumbered balance in  
7 the fund at the end of the next fiscal year does not exceed \$500,000.  
8       **Sec. 2.** This act becomes effective on July 1, 2019.

