

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

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 24-0947.01 Megan McCall x4215

SENATE BILL 24-139

SENATE SPONSORSHIP

Gonzales,

HOUSE SPONSORSHIP

(None),

Senate Committees

Finance
Appropriations

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

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 (8)(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 (8)(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 BENEFITS AND SERVICES TO TELEPHONE SERVICE USERS STATEWIDE 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 IN THE PROVISION OF 911
7 SERVICES AND EMERGENCY NOTIFICATION SERVICES;

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, WHICH INCLUDES MOUNTAIN RESORT COMMUNITIES AND
10 COMMUNITIES IN THE EASTERN PLAINS OF THE STATE, AND GOVERNING
11 BODIES SERVING JURISDICTIONS WITH POPULATIONS GREATER THAN TWO
12 HUNDRED THOUSAND PEOPLE. THE MAJORITY OF THE BOARD MUST BE
13 REPRESENTATIVES OF GOVERNING BODIES.

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

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

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

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

1 NOTIFICATION SERVICE IN THE STATE, INCLUDING:

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

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

8 (C) OTHER 911 RELATED TRAINING;

9 (II) PUBLIC EDUCATION CAMPAIGNS FOR THE PUBLIC TO INCLUDE
10 TRAINING PROGRAMS AND MATERIALS RELATED TO PROPER AND
11 APPROPRIATE USE OF 911 SERVICES AND EMERGENCY NOTIFICATION
12 SYSTEMS, INCLUDING TRAINING FOR PEOPLE WITH ACCESSIBILITY
13 CHALLENGES IN ACCESSING AND INTERACTING WITH PSAPs;

14 (III) CYBERSECURITY SUPPORT FOR SERVICES AND SOFTWARE,
15 INCLUDING FOR EMERGENCY TELEPHONE SERVICES, EMERGENCY
16 NOTIFICATION SERVICES, AND PSAP SYSTEMS;

17 (IV) GIS PROGRAMS FOR THE BENEFIT OF GOVERNING BODIES AND
18 PSAPs;

19 (V) GRANT PROGRAMS THAT THE ENTERPRISE MAY ESTABLISH FOR
20 THE BENEFIT OF GOVERNING BODIES AND PSAPs, WHICH MAY BE LIMITED
21 TO REASONABLY-DEFINED CLASSES OF GOVERNING BODIES OR PSAPs ON
22 THE BASIS OF FINANCIAL NEED AND MAY HAVE A MATCHING MONEY
23 REQUIREMENT FOR RECEIPT;

24 (VI) PROVIDING MATCHING MONEY FOR FEDERAL, STATE, OR
25 PRIVATE GRANTS RELATED TO BASIC EMERGENCY SERVICE, EMERGENCY
26 TELEPHONE SERVICE, OR EMERGENCY NOTIFICATION SERVICES, SO LONG
27 AS ALL EXPENSES TO BE PAID UNDER SUCH GRANTS ARE ALLOWABLE

1 PURSUANT TO SECTION 29-11-104 AND 9 CFR 47, SUBPART I, AS
2 AMENDED;

3 (VII) ANY OTHER ITEMS OF BENEFIT FOR GOVERNING BODIES AND
4 PSAPs AS PROPOSED BY A GROUP OF THOSE ENTITIES OR BY STATEWIDE
5 ASSOCIATIONS REPRESENTING COLORADO 911 STAKEHOLDERS, PROVIDED
6 SUCH EXPENSES ARE ALLOWABLE PURSUANT TO SECTION 29-11-104 AND
7 9 CFR 47, SUBPART I, AS FROM TIME TO TIME AMENDED; AND

8 (VIII) ANY OTHER EXPENSES NECESSARY FOR THE
9 ADMINISTRATION OF THE ENTERPRISE AND THE EXECUTION OF ITS
10 ACTIVITIES, INCLUDING COSTS FOR SUPPORT PERSONNEL;

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

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

18 (e) ADOPT, AMEND, OR REPEAL POLICIES FOR THE REGULATION OF
19 ITS AFFAIRS AND THE CONDUCT OF ITS BUSINESS CONSISTENT WITH THIS
20 SECTION.

21 (6) (a) IN ADDITION TO THE POWERS AND DUTIES SET FORTH IN
22 SUBSECTION (5) OF THIS SECTION, THE ENTERPRISE SHALL USE REVENUE OF
23 THE ENTERPRISE GENERATED FROM SOURCES OTHER THAN THE 911
24 ENTERPRISE FEE TO SUPPORT EMERGENCY TELEPHONE SERVICES AND
25 EMERGENCY NOTIFICATION SERVICES IN THE STATE CONSISTENT WITH THE
26 PROVISIONS OF THIS SECTION, INCLUDING FUNDING FOR:

27 (I) PSAP FACILITIES, SERVICES, SYSTEMS, OPERATIONS,

1 PERSONNEL, TRAINING, MAINTENANCE, REPORTING, COMMUNICATIONS,
2 AND CALL PROCESSING AND RECORDING SYSTEMS; AND

3 (II) OTHER EXPENSES OF PROCESSING AND DISPATCHING CALLS FOR
4 ASSISTANCE FROM THE POINT A CALL FOR ASSISTANCE REACHES A PUBLIC
5 OR COMMERCIAL NETWORK OR SERVICE TO THE POINT THAT THE REQUEST
6 FOR ASSISTANCE AND RELATED INFORMATION IS COMMUNICATED TO FIRST
7 RESPONDERS, MENTAL HEALTH PROFESSIONALS OR PARAPROFESSIONALS,
8 OR CIVILIAN VOLUNTEERS FOR RESPONSE TO THE REPORTED INCIDENT OR
9 CIRCUMSTANCE, OR IS DELIVERED OR COMMUNICATED TO OTHER PSAPs
10 FOR PROCESSING OR DISPATCH.

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

16 (7) THE ENTERPRISE DOES NOT HAVE AUTHORITY OVER
17 GOVERNING BODIES OR PSAPs.

18 (8) (a) IN FURTHERANCE OF ITS BUSINESS PURPOSE AND PURSUANT
19 TO THE AUTHORITY SET FORTH IN SUBSECTION (5)(a) OF THIS SECTION, THE
20 ENTERPRISE SHALL IMPOSE THE 911 SURCHARGE FEE IN AN AMOUNT TO BE
21 ESTABLISHED ANNUALLY BY THE ENTERPRISE AFTER CONSULTING WITH
22 THE COMMISSION. THE AMOUNT SHALL NOT EXCEED, TOGETHER WITH THE
23 911 SURCHARGE IMPOSED BY THE COMMISSION, THE LIMITATION OF FIFTY
24 CENTS PER MONTH PER 911 ACCESS CONNECTION SET FORTH IN SECTION
25 29-11-102.3 (1)(a). THE ENTERPRISE SHALL ESTABLISH THE 911
26 ENTERPRISE FEE BEFORE THE COMMISSION ESTABLISHES ITS SURCHARGE
27 PURSUANT TO SECTION 29-11-102.3 (1)(b). THE AMOUNT OF THE 911

1 ENTERPRISE FEE MUST BE REASONABLY CALCULATED BASED ON THE COST
2 OF THE SERVICES PROVIDED BY THE ENTERPRISE AND RECEIVED BY
3 TELEPHONE SERVICE USERS, AND THE AMOUNT IMPOSED PER 911 ACCESS
4 CONNECTION MUST BE UNIFORM, REGARDLESS OF THE TECHNOLOGY USED
5 TO PROVIDE THE CONNECTION.

6 (b) FOR THE PURPOSE OF MINIMIZING COMPLIANCE COSTS FOR
7 SERVICE USERS AND ADMINISTRATIVE COSTS FOR THE STATE, THE
8 COMMISSION SHALL COLLECT THE 911 ENTERPRISE FEE ON BEHALF OF THE
9 ENTERPRISE AND A SERVICE SUPPLIER SHALL COLLECT THE 911
10 ENTERPRISE FEE FROM ITS SERVICE USERS AND REMIT IT TO THE
11 COMMISSION IN THE SAME MANNER IT COLLECTS AND REMITS THE
12 COMMISSION'S SURCHARGE PURSUANT TO SECTION 29-11-102.3.

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

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

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

23 (b) THE STATE TREASURER SHALL CREDIT ALL INTEREST AND
24 INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE
25 FUND TO THE FUND.

26 (c) MONEY IN THE FUND IS CONTINUOUSLY APPROPRIATED. THE
27 ENTERPRISE MAY EXPEND MONEY FROM THE FUND FOR THE PURPOSES

1 OUTLINED IN SUBSECTION (5) OF THIS SECTION.

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

7 (e) THE FUND IS SUBJECT TO ALL STATE FISCAL AND ACCOUNTING
8 RULES.

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

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

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

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

27 (h) THE ACTIVITY OF THE 911 SERVICES ENTERPRISE CREATED IN

1 SECTION 29-11-108, INCLUDING USE OF THE REVENUE OF THE 911
2 SERVICES ENTERPRISE.

3 **SECTION 5. Act subject to petition - effective date.** This act
4 takes effect at 12:01 a.m. on the day following the expiration of the
5 ninety-day period after final adjournment of the general assembly; except
6 that, if a referendum petition is filed pursuant to section 1 (3) of article V
7 of the state constitution against this act or an item, section, or part of this
8 act within such period, then the act, item, section, or part will not take
9 effect unless approved by the people at the general election to be held in
10 November 2024 and, in such case, will take effect on the date of the
11 official declaration of the vote thereon by the governor.