



## 2024 South Dakota Legislature

# House Bill 1092

SENATE ENGROSSED

Introduced by: **Representative Bartels**

1 **An Act to revise provisions regarding the 911 emergency surcharge.**

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

3 **Section 1. That § 34-45-4 be AMENDED:**

4 **34-45-4.** A monthly uniform 911 emergency surcharge of ~~one dollar and twenty-~~  
 5 ~~five cents shall be~~ two dollars must be assessed per service user line. The proceeds of the  
 6 911 emergency surcharge ~~shall~~ must be used to pay for allowable nonrecurring and  
 7 recurring costs of the 911 system. No 911 emergency surcharge may be imposed upon  
 8 more than one hundred service user lines or equivalent service, per customer account  
 9 billed, per month. In the case of multi-station network systems, the service user lines  
 10 ~~shall be~~ are equal to the number of calls that can simultaneously be made from the system  
 11 to the public switched telephone network. No prepaid wireless telecommunications service  
 12 is subject to the 911 emergency surcharge imposed under this section.

13 **Section 2. That a NEW SECTION be added to chapter 34-45:**

14 Each governing body of a public safety answering point shall submit an annual  
 15 report to the board by March thirty-first of each year. The report must be available for  
 16 public inspection. The annual report for each answering point must include the following:  
 17 (1) Number of unique service calls made for ambulance, fire, and law enforcement;  
 18 (2) Total number of employees;  
 19 (3) Operational budget;  
 20 (4) Total amount of dollars received by the 911 emergency surcharge pursuant to §  
 21 34-45-4 from each jurisdiction in the system;  
 22 (5) Description of the geographic territory of the public safety answering point; and  
 23 (6) Hours of operation for the public safety answering point.

1           The Department of Public Safety may promulgate rules, pursuant to chapter 1-26,  
2           to require additional information from a public safety answering point for the purposes of  
3           the annual report.

4           **Section 3. That § 34-45-20 be AMENDED:**

5           **34-45-20.** The board shall:

- 6           (1) Evaluate all of the current public safety answering points and systems throughout  
7           the State of South Dakota for their capability to adequately and efficiently  
8           administer systems;
- 9           (2) Develop plans for the implementation for a uniform statewide 911 system covering  
10           the entire state or so much as is practicable;
- 11           (3) Monitor the number and location of public safety answering points or systems and  
12           the use of 911 emergency surcharge funds in their administrative and operational  
13           budgets;
- 14           (4) Develop criteria and minimum standards for operating and financing public safety  
15           answering points or systems;
- 16           (5) Develop criteria for the eligibility and amount of reimbursement of recurring and  
17           nonrecurring costs of public safety answering points or systems;
- 18           (6) Develop criteria for the implementation of performance audits of the use of the 911  
19           fees utilized in the operation of the 911 system. The audit shall be conducted by  
20           the Department of Legislative Audit and shall be presented to the board and the  
21           Legislature;
- 22           (7) Report annually to the Government Operations and Audit Committee about the  
23           operations and findings of the board, an assessment of operational efficiencies of  
24           each public safety answering point, and any recommendations for changes in the  
25           surcharges imposed by this chapter and the distribution of the revenue; and
- 26           (8) Report annually to the Governor and the Legislature about the operations and  
27           findings of the board and any recommendations for changes to 911 service in the  
28           state.

29           **Section 4. Section 1 of this Act expires on June 30, 2025.**