

Chapter 21

S.B. No. 788

1                                    AN ACT

2 relating to requiring direct access to 9-1-1 service from certain  
3 telephone systems and equivalent systems that use Internet Protocol  
4 enabled services.

5            BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6            SECTION 1. This Act shall be known as Kari's Law.

7            SECTION 2. Subtitle B, Title 9, Health and Safety Code, is  
8 amended by adding Chapter 771A to read as follows:

9            CHAPTER 771A. ACCESS TO EMERGENCY COMMUNICATIONS SERVICES IN

10                                   GENERAL

11            Sec. 771A.001. DIRECT ACCESS TO 9-1-1 SERVICE REQUIRED.

12            (a) In this chapter:

13                                   (1) "9-1-1 service" means a communications service  
14 that connects users to a public safety answering point through a  
15 9-1-1 system.

16                                   (2) "Business service user" means a user of business  
17 service that provides telecommunications service, including 9-1-1  
18 service, to end users through a publicly or privately owned or  
19 controlled telephone switch.

20                                   (3) "Commission" means the Commission on State  
21 Emergency Communications.

22                                   (4) "Emergency communication district" means:

23                                   (A) a public agency or group of public agencies  
24 acting jointly that provided 9-1-1 service before September 1,

1 1987, or that had voted or contracted before that date to provide  
2 that service; or

3 (B) a district created under Subchapter B, C, D,  
4 F, or G, Chapter 772.

5 (5) "Internet Protocol enabled service" has the  
6 meaning assigned by Section 51.002, Utilities Code.

7 (6) "Telephone system" includes a multiline telephone  
8 system.

9 (b) This section applies to the extent the section is not  
10 inconsistent with or preempted by federal law.

11 (c) Notwithstanding any other law, a business service user  
12 that owns or controls a telephone system or an equivalent system  
13 that uses Internet Protocol enabled service and provides outbound  
14 dialing capacity or access shall configure the telephone system or  
15 equivalent system to allow a person initiating a 9-1-1 call on the  
16 system to directly access 9-1-1 service by dialing the digits 9-1-1  
17 without an additional code, digit, prefix, postfix, or trunk-access  
18 code.

19 (d) A business service user that provides residential or  
20 business facilities, owns or controls a telephone system or an  
21 equivalent system that uses Internet Protocol enabled service, and  
22 provides outbound dialing capacity or access shall configure the  
23 telephone system or equivalent system to provide a notification to  
24 a central location on the site of the residential or business  
25 facility when a person within the residential or business facility  
26 dials 9-1-1 if the system is able to be configured to provide the  
27 notification without an improvement to the system's hardware. This

1 subsection does not require a business service user to have a person  
2 available at the central location to receive a notification.

3 (e) The commission or the applicable emergency  
4 communication district shall grant a one-year waiver of the  
5 requirements under this section to a business service user if:

6 (1) the requirements would be unduly and unreasonably  
7 cost prohibitive for a business service user to comply with; and

8 (2) the business service user provides an affidavit  
9 not later than September 1 of each year stating:

10 (A) the manufacturer and model number of the  
11 telephone system or equivalent system that needs to be reprogrammed  
12 or replaced;

13 (B) that the business service user made a good  
14 faith attempt to reprogram or replace the system; and

15 (C) if the telephone system or equivalent system  
16 does not comply with Subsection (c), that the business service user  
17 agrees to place an instructional sticker immediately adjacent to  
18 each telephone that is accessed using the noncompliant system  
19 indicating that during the waiver period the telephone is unable to  
20 directly dial 9-1-1 and providing instructions for accessing 9-1-1  
21 in case of an emergency. The instructional sticker must be printed  
22 in at least 16-point boldface type in a contrasting color using a  
23 font that is easily readable.

24 (f) The commission may adopt rules to implement this section  
25 for areas that are governed by a regional plan, and an emergency  
26 communication district may adopt those rules in accordance with  
27 Section 771.062.

1        (g) On the request of the business service user, the  
2 commission, an emergency communication district, or a home-rule  
3 municipality that independently operates a 9-1-1 system shall  
4 provide assistance to a business service user that is within the  
5 applicable governmental entity's jurisdiction in complying with  
6 this section.

7        SECTION 3. A business service user, as defined by Section  
8 771A.001(a), Health and Safety Code, as added by this Act, shall  
9 comply with Section 771A.001, Health and Safety Code, as added by  
10 this Act, not later than September 1, 2016.

11        SECTION 4. This Act takes effect immediately if it receives  
12 a vote of two-thirds of all the members elected to each house, as  
13 provided by Section 39, Article III, Texas Constitution. If this  
14 Act does not receive the vote necessary for immediate effect, this  
15 Act takes effect September 1, 2015.

JME

S.B. No. 788

*Paul Pech*  
President of the Senate

*Joe Straus*  
Speaker of the House

I hereby certify that S.B. No. 788 passed the Senate on April 16, 2015, by the following vote: Yeas 30, Nays 1. \_\_\_\_\_

*Patsy Spaw*  
Secretary of the Senate

I hereby certify that S.B. No. 788 passed the House on April 30, 2015, by the following vote: Yeas 137, Nays 2, one present not voting. \_\_\_\_\_

*Robert Haney*  
Chief Clerk of the House

Approved:

5-15-2015  
Date

*Greg Abbott*  
Governor

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE  
7pm O'CLOCK

*Quill*  
Secretary of State

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION**

**April 8, 2015**

**TO:** Honorable Kevin Eltife, Chair, Senate Committee on Business & Commerce

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE:** SB788 by Eltife (Relating to requiring direct access to 9-1-1 service from certain telephone systems and equivalent systems that use Internet Protocol enabled services.),  
**Committee Report 1st House, Substituted**

**No significant fiscal implication to the State is anticipated.**

The bill would amend the Health and Safety Code to require certain users who have telephone systems that provide outbound dialing capacity to allow a person initiating a 9-1-1 call on their system to access 9-1-1 service by dialing the digits 9-1-1 without an additional code. The Commission on State Emergency Communications anticipates any additional work resulting from the passage of the bill could be reasonably absorbed within current resources. The bill would take effect immediately upon receiving a two-thirds majority vote in each house. Otherwise, the bill would take effect September 1, 2015.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 477 Commission on State Emergency Communications

**LBB Staff:** UP, CL, EP, KPe, KVe

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION**

**March 30, 2015**

**TO:** Honorable Kevin Eltife, Chair, Senate Committee on Business & Commerce

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: SB788** by Eltife (Relating to requiring direct access to 9-1-1 service from certain telephone systems and Internet Protocol services.), **As Introduced**

**No significant fiscal implication to the State is anticipated.**

The bill would amend the Health and Safety Code to require certain users who have telephone systems that provide outbound dialing capacity to allow a person initiating a 9-1-1 call on their system to access 9-1-1 service by dialing the digits 9-1-1 without an additional code. The Commission on State Emergency Communications anticipates any additional work resulting from the passage of the bill could be reasonably absorbed within current resources. The bill would take effect immediately upon receiving a two-thirds majority vote in each house. Otherwise, the bill would take effect September 1, 2015.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 477 Commission on State Emergency Communications

**LBB Staff:** UP, CL, EP, KPe, KVe