



HSJ-PP-5: 911 FEE INCREASE

STAFF RECOMMENDATION: ADOPT

PROPOSED POLICY: SUPPORT raising the 911 fee to accommodate increased expenses and expansion of technology to continue providing high quality of service to citizens

BACKGROUND:

The 911 Fee that is currently collected in Florida at 40 cents per line is no longer able to support the level of expense in maintaining 911 systems throughout the state. Counties must use local tax dollars/general funds to support 911 related expenses reducing funds available for other County programs. It has become apparent that the per line 911 fee should be raised to accommodate increased expenses and the recent expansion in allowable costs on how these monies can be spent.

Florida's 911 Fee was previously set at 50 cents per line. It was lowered to 40 cents per line several years ago. Since that time, technology has changed requiring significant expense to upgrade existing 911 systems as required by the state 911 plan. Additionally, changing technology is revealing new tools for use in processing 911 calls that did not exist. These new tools and improved systems are required to allow Counties to continue to provide high quality of service to citizens. For many of these items, they are a requirement. Additionally, in 2023, legislation was changed to expand what 911 Fee funds could be used to purchase. This expansion included high-end items like computer aided dispatch and radio systems that were never included in the past.

Pinellas and Pasco County has participated in the efforts made by the Florida 911 Coordinators' Association to bring these concerns to the Florida Emergency Communications Board. While much discussion has occurred, this board has not been able to exercise their authority to increase the fee back to 50 cents per line. During 2016, the Board voted to increase the fee to 45 cents, but the DMS rule to implement the change was not ratified by the legislature as required by [s. 120.541\(3\)](#), F.S.

The Florida Emergency Communications Board has managed a grant program that does allow Counties to apply for additional funds to accommodate projects that fit within the grant criteria. This has eased the funding challenges experienced by Counties. However, in July 2024, as applications for the spring grant cycle were reviewed, the board determined they did not have enough money to continue offering grants in the Fall grant cycle, therefore they cancelled the potential to offer grants in the Fall significantly impacting Counties' planning and ability to procure necessary technology and services in a timely manner.

ANALYSIS: Because the items that are allowable for 911 Fee expenditures are generally required equipment and services to provide the expected level of assistance to those in need who dial 911, they must be procured. When the 911 Fee funds available to the County do not meet those needs, local taxes/general funds must be used. Counties using general funds to supplement 911 Fee funds reduce the amount of funding available for other programs that are needed and desired by citizens. This issue is experienced by many Counties in Florida.



FISCAL IMPACT: Over the last 5 audited fiscal years (FY19 – FY23), Pinellas County has incurred \$47,567,657 in 911 Fee eligible expenditures. Of that amount, \$18,568,527 or 39.04% was funded with local county taxes/general funds reducing funds available for local programs.

Over the last 5 audited fiscal years (FY19 – FY23), Pasco County has incurred \$24,552,862 in 911 Fee eligible expenditures. Of that amount, \$7,928,937 or 32.3% was funded with local county taxes/general funds reducing funds available for local programs.

FAC STAFF NOTES:

- **Statutes**
 - [Section 365.172 \(2\)\(b\)\(e\), F.S.](#) - Legislative Intent
 - Provide funds to counties to pay certain costs associated with their public safety emergency response capabilities and costs incurred to purchase, upgrade, and maintain 911 systems, computer-aided dispatch, and systems to create interoperable radio communications systems.
 - Ensure that the fee established for emergency communications systems is used exclusively by counties for costs associated with developing and maintaining emergency communications systems and networks in a manner that is competitively and technologically neutral as to all communications services providers. It is further the intent of the Legislature that the fee authorized or imposed by this section not necessarily provide the total funding required for establishing or providing emergency communications systems and services.
 - [Section 365.172\(8\), F.S.](#) - Public Safety Emergency Communications Systems Fee
 - A provider is not obligated to take any legal action to enforce collection of the fees for which any subscriber is billed. A county subscribing to 911 service remains liable to the provider delivering the 911 service or equipment for any 911 service, equipment, operation, or maintenance charge owed by the (f) The rate of the fee may not exceed 50 cents per month for each service identifier. Effective January 1, 2015, the fee shall be 40 cents per month for each service identifier. The fee shall apply uniformly and be imposed throughout the state.
 - The section also provides:
 - (g) The board may adjust the allocation percentages for distribution of the fund as provided in s. [365.173](#). Any adjustment in the rate must be approved by a two-thirds vote of the total number of board members. When setting the percentages or contemplating any adjustments to the fee, the board shall consider the following:
 1. The appropriate level of funding needed to fund the rural grant program provided for in s. [365.173\(2\)\(f\)](#); and
 2. The need to fund statewide, regional, and county grants in accordance with sub-subparagraph (6)(a)3.b. and s. [365.173\(2\)\(g\)](#).
 - (h) The board may adjust the allocation percentages or adjust the amount of the fee as provided in paragraph (g) if necessary to ensure full cost recovery

or prevent over recovery of costs incurred in the provision of 911 service, including costs incurred or projected to be incurred. Any new allocation percentages or reduced or increased fee may not be adjusted for 1 year. In no event shall the fee exceed 50 cents per month for each service identifier. The fee, and any board adjustment of the fee, shall be uniform throughout the state. No less than 90 days before the effective date of any adjustment to the fee, the board shall provide written notice of the adjusted fee amount and effective date to each voice communications services provider from which the board is then receiving the fee.

- [Section 120.541](#) - Statement of Estimated Regulatory Costs
 - Subsection (3) provides that If the adverse impact or regulatory costs of the rule exceed any of the criteria established in paragraph (2)(a), the rule shall be submitted to the President of the Senate and Speaker of the House of Representatives no later than 30 days prior to the next regular legislative session, and the rule may not take effect until it is ratified by the Legislature.
 - In 2016, the Board voted to increase the fee from 40 cents to 45 cents, but enactment required the Department of Management Service to enact a rule. The rule triggered the ratification by the legislature. That ratification did not occur as the Legislature took no action, causing the rule to not take effect.
- **Bills**
 - SB 1418 - Emergency Communications (2023) (PASSED, [CH. 2023-55, L.O.F.](#)) revises the distribution of revenue collected from a monthly fee to fund 911 services assessed on voice communications services in the state, removes county exceptions to the state's uniform rate for this fee and revises the expenditures that are eligible to be paid by revenue collected from this fee. The bill also requires the Division of Telecommunications to develop a plan by December 30, 2023, to upgrade all 911 public safety answering points within the state to allow for inter-jurisdictional transfers of emergency calls by December 30, 2033.
- **Florida Financial Handbook 2023**
 - [Public Safety Emergency Communications Systems Fee](#)
 - All counties are eligible to receive three separate distributions, one based on the total number of wireless service identifiers in each county, a second based on the total number of non-wireless service identifiers in each county, and a third based on the total amount of fees on prepaid wireless services reported and paid in each county. Additionally, rural counties, defined as having a total population of less than 75,000, are eligible to receive additional distributions.
 - Each voice communications service provider collects the fee as described in s. 365.172(8), F.S. However, sellers of prepaid wireless service collect the fee as described in s. 365.173(9), F.S.

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ASSIGNED COMMITTEE: HSJ

BOARD SUPPORT: No Position

UNFUNDED MANDATE: Yes

PROTECTIVE OF HOME RULE: Yes