

HB268 INTRODUCED



1 HB268
2 9J7AFMM-1
3 By Representative
4 RFD: County and Municipal Government
5 First Read: 15-Jan-26



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SYNOPSIS:

Under existing law, 911 calls in the State of Alabama are handled by public safety answering centers that are directly supervised by local communication districts, which in turn are under the authority of the state 911 Board.

This bill would authorize the state 911 Board to monitor call statistics for a local communication district and to share data related to crime reporting with the Office of Attorney General.

This bill would provide that if the 911 Board determines from call data that a local communication district's emergency response is inadequate, that the 911 Board may undertake an investigation to determine the cause of inadequacy. If the district is unable to remedy the problem, the 911 Board may assume direct supervision of the public safety answering center operations until performance, based on certain metrics, improves.

This bill would further authorize the Attorney General to file a civil action to enforce the 911 Board's investigation of a local communication district or enforce the 911 Board's direct supervision of a district.



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A BILL

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TO BE ENTITLED

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AN ACT

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34 Relating to 911 service; to add Section 11-98-4.3 to
35 the Code of Alabama 1975, to authorize the state 911 Board to
36 institute a system to measure the emergency response
37 performance of local communication districts through the
38 collection of call data; to authorize the state 911 Board to
39 share data related to crimes reported with the Attorney
40 General; to add Section 11-98-4.4 to the Code of Alabama 1975,
41 to authorize the state 911 Board to audit local communication
42 districts and to assume direct supervision of the district
43 when required for public safety; and to authorize the Attorney
44 General to bring a civil action to enforce the investigation
45 or supervision of a district by the 911 Board.

46 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

47 Section 1. Sections 11-98-4.3 and 11-98-4.4 are added
48 to the Code of Alabama 1975, to read as follows:

49 §11-98-4.3

50 (a) For the purposes of this section and Section
51 11-98-4.4, the term "readiness" refers to the capability of a
52 district, including a public safety answering point, to
53 expedite the answering, receiving, and transferring of 911
54 calls and texts to efficiently dispatch the appropriate
55 emergency service provider as soon as possible to a correct
56 location where property or life may be in jeopardy.



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57 (b) The 911 Board shall establish a system that
58 measures the readiness of district public safety services
59 through the collection of data related to a district's
60 answering, receiving, transferring, and dispatching functions
61 relating to 911 calls, including voice, text messages, photos,
62 and videos.

63 (c) The 911 Board shall collect data including, but not
64 limited to, all of the following for each district in the
65 state:

66 (1) 911 call volume.

67 (2) Time to answer 911 calls.

68 (3) Time to respond to emergency calls in accordance
69 with Section 11-98-11.

70 (4) Answered emergency calls versus unanswered
71 emergency calls.

72 (5) Dropped calls.

73 (6) Calls reporting a crime.

74 (d) The 911 Board shall adopt metrics for determining
75 if a district's 911 service is performing at an acceptable
76 level of readiness, requires improvement, or compromises
77 public safety, based upon the data collected, adjusted for
78 other factors relevant to each district, such as population,
79 geographical area, crime rate, and availability of emergency
80 service providers, and including complaints received pursuant
81 to subsection (e).

82 (e) The 911 Board shall require each district to
83 forward to the board any complaint received concerning the
84 readiness of a district's 911 service, and the Attorney



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85 General shall also provide a toll-free hotline by which a
86 resident complaint concerning the readiness of a district's
87 911 service may be submitted and forwarded to the 911 Board.

88 (f) The 911 Board, on a quarterly basis, shall provide
89 the Attorney General with all data collected regarding the
90 number and type of crime reports received in a district via
91 911 calls or texts.

92 (g) The system required to be established by this
93 section may be funded as an advisory service pursuant to
94 Section 11-98-5.2(b)(7)b. or from any outside source of
95 funding received by the 911 Board.

96 (h) The 911 Board shall adopt rules in accordance with
97 the Alabama Administrative Procedure Act which are necessary
98 to implement the system described in this section.

99 §11-98-4.4

100 (a)(1) If the 911 Board determines, based upon a review
101 of metrics, that a district is not performing at an acceptable
102 level of readiness pursuant to Section 11-98-4.3(d), the 911
103 Board may audit the district, employing any of the following
104 means as required:

105 a. Interviewing any individual who may have knowledge
106 concerning district performance, including members of the
107 district board of commissioners, the director of the PSAP,
108 public safety telecommunicators, heads of local emergency
109 service providers, first responders, and residents who have
110 submitted a complaint.

111 b. On-site inspection of a PSAP, PSAP equipment or
112 technical functionality, and monitoring PSAP operations in



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113 real time.

114 (2) An audit of a district may take as much time and
115 involve as many investigative resources as the circumstances
116 warrant. The 911 Board may determine, pursuant to a cursory
117 review or at the request of the Attorney General, that it is
118 in the interest of public safety to proceed immediately to a
119 determination by the 911 Board of appropriate remediation.

120 (b) (1) Based upon the 911 Board's determination as
121 provided in subsection (a), the 911 Board may prescribe
122 remedial measures to bring the district to an acceptable level
123 of readiness, including, but not limited to, any of the
124 following:

125 a. Training requirements for public safety
126 telecommunicators.

127 b. Replacement of personnel, including a director of a
128 PSAP or public safety telecommunicators.

129 c. Hiring additional public safety telecommunicators.

130 d. Upgrade of technology, including replacement or
131 acquisition of PSAP communications hardware or software.

132 e. Amendment of PSAP operating protocols, scripts, and
133 recordkeeping.

134 (2)a. As the result of an audit, the 911 Board may give
135 the district board of commissioners a remediation plan in
136 writing that prescribes benchmarks for improving readiness
137 which shall include required actions such as those listed in
138 subdivision (1), and may include metric targets, other goals
139 or measures, and compliance deadlines.

140 b. A remediation plan may recommend the replacement of



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141 a member of the district board of commissioners, but the board
142 shall have no power to remove or replace a commissioner.

143 c. The project expenses of remediation measures that
144 are prescribed may not exceed the funds available to a
145 district from all available revenue sources.

146 (c) The 911 Board, upon written findings, may determine
147 that the readiness of a district is such that public safety is
148 compromised due to metrics that result from any of the
149 following circumstances:

150 (1) District failure to cooperate with an audit.

151 (2) District failure to achieve compliance with a
152 post-audit remediation plan in circumstances in which an
153 extension of time for compliance would compromise public
154 safety.

155 (3) District operational deficiencies are so systemic
156 or unique that any plan of remediation would be impractical or
157 inadequate to improve current public safety conditions in the
158 district.

159 (d) (1) Upon making a written finding that the readiness
160 of a district is such that public safety is compromised
161 pursuant to subsection (c), the 911 Board shall assume direct
162 operational supervision of a district by communication of
163 notice in writing to the board of commissioners of the
164 assumption of direct operational oversight by the 911 Board,
165 to include all of the following:

166 a. The anticipated remediation measures to be
167 undertaken by the 911 Board which were discovered by audit.

168 b. A statement that any other conditions or factors



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169 discovered by the 911 Board pursuant to its direct operational
170 oversight which impair the district's performance at an
171 acceptable level of readiness will also be remediated by the
172 board.

173 c. The anticipated length of time, if known, until the
174 911 Board will return direct operational oversight of the
175 district to the district board of commissioners.

176 (2) The 911 Board may take any action that is or would
177 be prescribed to a district board of commissioners or PSAP by
178 a remediation plan, including training, hiring, and
179 terminating public safety telecommunicators, and the upgrade
180 of technical capability, including the acquisition of
181 equipment, hardware, or software.

182 (3) During the period when the 911 Board is exercising
183 direct operational oversight of a district, the 911 Board
184 shall be the beneficial owner of monthly revenue to the
185 district from the 911 Fund to pay the costs or expenses of
186 remediation, and may obtain, upon invoice, reimbursement from
187 the district board of commissioners or if applicable, the
188 county commission or municipality that created the district,
189 for any costs or expenses for remediation that the 911 Board
190 incurred which were not paid from revenue or accounts owned by
191 the district.

192 (e) Upon request by the Executive Director of the 911
193 Board, the Attorney General may apply to the Circuit Court of
194 Montgomery County for injunctive relief to enforce this
195 section as it applies to a district anywhere in the state,
196 including, but not limited to: (i) issuing a subpoena or



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197 ordering cooperation in an investigation of a district or PSAP
198 pursuant to subsection (a); or (ii) compelling cooperation
199 with the remediation measures taken by the 911 Board pursuant
200 to direct operational oversight of a district, including
201 ordering access to district operating funds and revenues
202 pursuant to subdivision (c)(3).

203 Section 2. This act shall become effective on October
204 1, 2026.