

A RESOLUTION OF THE GOVERNING AUTHORITY OF DEKALB COUNTY, GEORGIA UPDATING AND AUTHORIZING 9-1-1 CHARGES ON TELEPHONE SERVICES AND WIRELESS ENHANCED 9-1-1 CHARGES OTHER THAN PREPAID WIRELESS SERVICES; PROVIDING AN EFFECTIVE DATE; REPEALING PRIOR RESOLUTIONS IN CONFLICT; AND FOR OTHER PURPOSES.

WHEREAS, the DeKalb County Government has operated an Emergency 9-1-1 system since 1986; and,

WHEREAS, in accordance with O.C.G.A. § 46-5-134, the County has previously imposed a \$1.50 per month per telephone fee for wired telecommunications connections; and

WHEREAS, in accordance with O.C.G.A. § 46-5-134, the County has previously imposed a \$1.50 wireless enhanced 9-1-1 charge upon each wireless telecommunications connection subscribed to by subscribers whose billing address is within the geographic area that is served by the local government; and

WHEREAS, the general law regarding 9-1-1 charges has been substantially modernized and revised by Ga. L. 2018, p. 689, HB 751; and

WHEREAS, many of these revisions include oversight and administration of 9-1-1 matters by the Georgia Emergency Communications Authority and the Department of Revenue; and

WHEREAS, DeKalb County, Georgia desires to update its 9-1-1 charges in accordance with revisions to state law.

NOW, THEREFORE BE IT RESOLVED by the Governing Authority of DeKalb County, Georgia as follows:

Section 1. Definitions

Unless specified otherwise in this resolution, all terms shall be defined in the same manner as specified in O.C.G.A. § 46-5-122.

Section 2. 9-1-1 Charges on Monthly Services

(a) Pursuant to O.C.G.A. § 46-5-133(a), there is imposed a monthly 9-1-1 charge upon each telephone service, subscribed to by a telephone subscriber, whose exchange access lines are in the areas served or which could be served by the 9-1-1 service. Pursuant to O.C.G.A. § 46-5-134(a)(1)(A), the amount of such 9-1-1 charge shall be \$1.50 per month per telephone service provided to the telephone subscriber.

(b) Pursuant to O.C.G.A. § 46-5-133(a), there is imposed a monthly wireless enhanced 9-1-1 charge upon each wireless telecommunications connection, other than a connection for prepaid wireless service, subscribed to by a telephone subscriber whose place of primary use is within the geographic area that is served by DeKalb County, Georgia, or that would be served by DeKalb

County, Georgia, for the purpose of such an emergency 9-1-1 system. Pursuant to O.C.G.A. 46-5-134(a)(2)(A), the amount of such enhanced wireless 9-1-1 charge shall be \$1.50 per month per wireless telecommunications connection provided to the telephone subscriber.

(c) The 9-1-1 charges under this section shall commence January 1, 2019.

Section 3. Collecting and Remitting of 9-1-1 Charges

All such 9-1-1 charges collected by service suppliers shall be remitted to the Georgia Department of Revenue, as the contracted collection partner of the Georgia Emergency Communications Authority, at the times and in the manner provided by O.C.G.A. § 38-3-185, O.C.G.A. § 38-3-186, and any other Georgia Department of Revenue or Georgia Emergency Communications Authority rule or regulation adopted pursuant to Article 12 of Chapter 13 of Title 38 of the O.C.G.A. and Chapter 13 of Title 50 of the O.C.G.A., the “Georgia Administrative Procedures Act”.

Section 4. Deposit and Use of Proceeds

Pursuant to O.C.G.A. § 46-5-134, all proceeds received by DeKalb County from 9-1-1 charges imposed by this resolution shall be deposited in the Emergency Telephone System Fund maintained by the county; kept separate from general revenue of the county; and used exclusively for the statutorily authorized purposes.

Section 5. Resolution Filing Requirements

The Clerk of the County shall file with the state revenue commissioner a certified copy of this resolution within ten (10) days of the adoption thereof. Any subsequent amendment to this resolution shall likewise be so filed by the clerk within ten (10) days of the adoption thereof.

Section 6. Effective Date and Applicability

This resolution shall become effective on January 1, 2019 if adopted and approved by the Governing Authority. Any prior resolution establishing such 9-1-1 charges shall remain in effect until January 1, 2019. On such date, such 9-1-1 charges shall be governed by this resolution.

Section 7. Repealer

All resolutions, or parts of resolutions, in conflict with this resolution are repealed as of January 1, 2019.

ADOPTED by the DeKalb County Board of Commissioners, this ____ day of _____, 2018.

JEFF RADER
Presiding Officer
Board of Commissioners
DeKalb County, Georgia

APPROVED by the Chief Executive Officer, this ____ day of _____, 2018.

MICHAEL THURMOND
Chief Executive Officer
DeKalb County, Georgia

ATTEST:

BARBARA SANDERS-NORWOOD, CCC
Clerk of Chief Executive Officer and
County Commission
DeKalb County, Georgia

APPROVED AS TO FORM:

VIVIANE ERNSTES
County Attorney