

Appendix J: TECB Revenue Standards

DRAFT



STATE OF TENNESSEE
TENNESSEE EMERGENCY COMMUNICATIONS BOARD
DEPARTMENT OF COMMERCE & INSURANCE
500 JAMES ROBERTSON PARKWAY
NASHVILLE, TENNESSEE 37243-0582
615-253-2164

911 REVENUE STANDARDS

Pursuant to Tenn. Code Ann. § 7-86-306(a)(11), The Tennessee Emergency Communications Board is required to establish operating standards concerning acceptable uses of revenue for emergency communications districts ("ECDs"). Accordingly, the board hereby establishes the following required, permissible and prohibited uses of 911 revenue in order to ensure the appropriate expenditure and use of 911 funds by ECDs.

All funds received by ECDs are public funds and are limited to purposes for the furtherance of 911, as set forth in Title 7, Chapter 86, Part 1 of the Tennessee Code Annotated. See Tenn. Code Ann. § 7-86-102(d). Funds received by ECDs should only be used to obtain emergency services for law enforcement and other public service efforts requiring emergency notification of public service personnel. Funds received from all sources shall be used exclusively in the operation of the ECD. *Id.*

"Operation of the ECD" includes, among other things, providing "911 service," which means regular 911 service, enhanced universal emergency number service, or enhanced 911 service that is a telephone exchange communications service whereby a public safety answering point may receive telephone calls dialed to the telephone number 911. See Tenn. Code Ann. § 7-86-103(1). "911 service" also includes the lines, and may include the equipment, necessary for the answering, transferring and dispatching of public emergency telephone calls originated by persons within the serving area who dial 911. *Id.*

Effective Date: August 3, 2016.

Required Uses of 911 Revenue

The following items are required uses of 911 surcharge revenue necessary to provide 911 service. These expenditures must be provided for before an ECD may consider spending revenue on other permissible items, goods or services.

- 1. Lease, purchase, modification, upgrade and/or maintenance of equipment, systems and devices necessary to provide reliable and up-to-date 911 service. ECDs shall routinely maintain and/or upgrade such equipment to ensure equipment is in good working condition so as to prevent any degradation of 911 service. Such items include necessary hardware, software, equipment and other services to ensure compliance with the TECB Minimum Technical Operating Standards, which includes, but is not limited to, the following:**
 - a. Controller/Telephone System**
 - b. GIS Mapping System**
 - c. Emergency Generator & Uninterruptible Power Supply**
 - d. TTD or Other Equipment Necessary to Provide Hard-of-Hearing Services**
- 2. Annual audits, pursuant to Tennessee Code Annotated § 7-86-113.**
- 3. Premiums on surety bonds, pursuant to Tenn. Code Ann. § 7-86-119.**
- 4. Public meeting notices or other legal notices required by the Open Meetings Act (Tenn. Code Ann. Title 8, Chapter 44, et seq.)**
- 5. All other expenditures required by law.**

Permissible Uses of 911 Revenue

The following items are permissible uses of 911 surcharge revenue. Such items may be used in the provision of 911 service, provided they are only used exclusively in the operation of the ECD. These items are permissible for ECD affiliated PSAPs. The Permissible Uses of 911 Revenue presume an ECD has the budgetary resources, and that such expenditures are provided for within the ECD's annual budget.

The order of the items in this list does not constitute any priority that should be given to the items and this list is not exhaustive of all permissible expenditures of 911 surcharge revenue that may be used exclusively in the operation of the ECD.

- 1. Lease, purchase, maintenance and/or upgrade of additional equipment, hardware, software, systems etc. for additional/backup PSAPs.**
- 2. Equipment necessary for the operation of the ECD, including but not limited to the following:**
 - a. Radio Equipment**
 - b. Computer Aided Dispatch ("CAD") Equipment**
 - c. Geographical Positioning System ("GPS")/Addressing Equipment**
 - d. Logging Recorder Equipment**
 - e. Furniture and Fixtures**
 - f. Other necessary equipment and/or supplies**
- 3. Employment and/or retention of employees, experts, or consultants hired by the Board of Directors of an Emergency Communications District pursuant to Tenn. Code Ann. § 7-86-105(g) and (h).**
- 4. Construction, lease, purchase and/or maintenance of buildings or other facilities.**
- 5. Payments of debt service pursuant to Tenn. Code Ann. §§ 7-86-114 and 7-86-121.**
- 6. Addressing, mapping, master street address guides and location related equipment and systems related to providing 911 service.**
- 7. 911 education and outreach.**
- 8. Acquisition and maintenance of insurance.**
- 9. Reasonable board meeting expenses.**
- 10. Employee uniforms.**
- 11. Pagers, cell phones, and other personal communication devices.**

12. Licensing fees.
13. Lawsuit settlement expenses and other legal expenses.
14. Dues and memberships to professional organizations for employees of an ECD and board members of an ECD. Dues and membership to Chamber of Commerce for the ECD.
15. Issuance of bonds and notes for legal, engineering, fiscal services, and interest during construction and for six months after the estimated date of completion of construction, pursuant to Tenn. Code Ann. § 7-86-114(a).
16. Travel expenses pursuant to Tenn. Code Ann. § 7-86-125.
17. Service recognition awards and ceremonies for members of an ECD Board of Directors, employees of an ECD or ECD affiliated PSAP and members of the public. Awards shall be plaques, trophies or similar items.
18. Expenditures for CJIS/NCIC/TBI/TIES and associated costs are permissible, if and only if, an ECD is providing law enforcement dispatch services pursuant to an interlocal agreement between the ECD and a law enforcement services provider in accordance with the Interlocal Cooperation Act, Tenn. Code Ann. § 12-9-101, et seq.
19. Contracts, interlocal agreements and other agreements to the extent permitted by applicable law.
20. Responder and dispatch surveys.
21. Facility Relocation.
22. Training ECD board members and ECD employees.
23. Impact payments made pursuant to an interlocal agreement.
24. Radio/communications and location equipment for emergency responders direct dispatched by the ECD.
25. Vending Machines. Provided, however, that all proceeds from vending operations shall be deposited to the ECD's official bank account in the same manner as all other receipts. All disbursements related to vending operations shall be paid by official check of the ECD in the same manner as all other disbursements. The machines shall be operated on at least a break-even basis. Provided further that, in all cases involving vending facilities, the Tennessee Department of Human Services (DHS) shall be contacted to determine requirements for compliance with Tenn. Code Ann. § 71-4-501, et seq., and any other applicable state or federal laws.
26. Emergency notification systems (e.g., reverse 9-1-1, etc.) used to perform broadcasts of public warnings issued by various government agencies.

- 27. NOAA Weather Radios, weather radar, and other civil emergency and weather warning products for installation in a PSAP to be used for alerting 911 personnel of impending dangers and warnings issued by various government agencies.**
- 28. Any other equipment, goods or services used exclusively in the operation of the district.**

DRAFT

Prohibited Uses of 911 Revenue

The following items represent prohibited expenditures not related to the operation of the ECD, regardless of the source of revenue or the budgetary resources of an ECD. This list is not exhaustive.

1. **Emergency response equipment or emergency response personnel that are not necessary for dispatching “911 Service,” as defined in Tenn. Code Ann. § 7-86-103(1).**
2. **Purchase or lease of emergency response vehicles, law enforcement vehicles, vehicles for public safety emergency services providers, as defined in Tenn. Code Ann. § 7-86-103(19), other political subdivision vehicles, and any other vehicles not designated for exclusive use for or by an ECD.**
3. **Purchasing, installation, and maintenance of public or private road signs.**
4. **Gifts, gift cards and flowers, other than those deemed permissible under Permissible Uses, above.**
5. **Entertainment expenses, other than those deemed permissible under Permissible Uses, above.**
6. **Civic Club Dues, other than those deemed permissible under Permissible Uses, above.**
7. **Purchasing, installation, and maintenance of outdoor warning sirens.**
8. **Alcohol.**