

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Emergency Telephone System Act is amended by
5 adding Section 15.7 as follows:

6 (50 ILCS 750/15.7 new)

7 Sec. 15.7. Compliance with certification of 9-1-1 system
8 providers by the Illinois Commerce Commission. In addition to
9 the requirements of this Section, all 9-1-1 system providers
10 must comply with the requirements of Section 13-900 of the
11 Public Utilities Act.

12 Section 10. The Public Utilities Act is amended by adding
13 Section 13-900 as follows:

14 (220 ILCS 5/13-900 new)

15 (Section scheduled to be repealed on July 1, 2009)

16 Sec. 13-900. Authority to serve as 9-1-1 system provider;
17 rules.

18 (a) The General Assembly finds that it is necessary to
19 require the certification of 9-1-1 system providers to ensure
20 the safety of the lives and property of Illinoisans and
21 Illinois businesses, and to otherwise protect and promote the

1 public safety, health, and welfare of the citizens of this
2 State and their property.

3 (b) For purposes of this Section:

4 "9-1-1 system" has the same meaning as that term is
5 defined in Section 2.19 of the Emergency Telephone System
6 Act.

7 "9-1-1 system provider" means any person, corporation,
8 limited liability company, partnership, sole
9 proprietorship, or entity of any description whatever that
10 acts as a system provider within the meaning of Section
11 2.18 of the Emergency Telephone System Act.

12 "Emergency Telephone System Board" has the same
13 meaning as that term is defined in Sections 2.11 and 15.4
14 of the Emergency Telephone System Act.

15 "Public safety agency personnel" means personnel
16 employed by a public safety agency, as that term is defined
17 in Section 2.02 of the Emergency Telephone System Act,
18 whose responsibilities include responding to requests for
19 emergency services.

20 (c) Except as otherwise provided in this Section, beginning
21 July 1, 2009, it is unlawful for any 9-1-1 system provider to
22 offer or provide or seek to offer or provide to any emergency
23 telephone system board or 9-1-1 system, or agent,
24 representative, or designee thereof, any network and database
25 service used or intended to be used by any emergency telephone
26 system board or 9-1-1 system for the purpose of answering,

1 transferring, or relaying requests for emergency services, or
2 dispatching public safety agency personnel in response to
3 requests for emergency services, unless the 9-1-1 system
4 provider has applied for and received a Certificate of 9-1-1
5 System Provider Authority from the Commission. The Commission
6 shall approve an application for a Certificate of 9-1-1 System
7 Provider Authority upon a showing by the applicant, and a
8 finding by the Commission, after notice and hearing, that the
9 applicant possesses sufficient technical, financial, and
10 managerial resources and abilities to provide network service
11 and database services that it seeks authority to provide in its
12 application for service authority, in a safe, continuous, and
13 uninterrupted manner.

14 (d) No incumbent local exchange carrier that provides, as
15 of the effective date of this amendatory Act of the 95th
16 General Assembly, any 9-1-1 network and 9-1-1 database service
17 used or intended to be used by any Emergency Telephone System
18 Board or 9-1-1 system, shall be required to obtain a
19 Certificate of 9-1-1 System Provider Authority under this
20 Section. No entity that possesses, as of the effective date of
21 this amendatory Act of the 95th General Assembly, a Certificate
22 of Service Authority and provides 9-1-1 network and 9-1-1
23 database services to any incumbent local exchange carrier as of
24 the effective date of this amendatory Act of the 95th General
25 Assembly shall be required to obtain a Certificate of 9-1-1
26 System Provider Authority under this Section.

1 (e) Any and all enforcement authority granted to the
2 Commission under this Section shall apply exclusively to 9-1-1
3 system providers granted a Certificate of Service Authority
4 under this Section and shall not apply to incumbent local
5 exchange carriers that are providing 9-1-1 service as of the
6 effective date of this amendatory Act of the 95th General
7 Assembly.

8 Section 99. Effective date. This Act takes effect upon
9 becoming law.