

1 State of Arkansas
2 90th General Assembly
3 Regular Session, 2015
4

As Engrossed: H3/12/15

A Bill

HOUSE BILL 1937

5 By: Representative Baltz
6 By: Senator B. Pierce
7

For An Act To Be Entitled

9 AN ACT TO AMEND THE ARKANSAS EMERGENCY SERVICES ACT
10 OF 1973; TO ADVANCE PUBLIC SAFETY; TO ENHANCE AND
11 STRENGTHEN INTEROPERABILITY ACROSS ARKANSAS; TO
12 ESTABLISH THE ARKANSAS INTEROPERABLE COMMUNICATIONS
13 EXECUTIVE COUNCIL; AND FOR OTHER PURPOSES.
14
15

Subtitle

17 TO AMEND THE ARKANSAS EMERGENCY SERVICES
18 ACT OF 1973; TO ADVANCE PUBLIC SAFETY; TO
19 ENHANCE AND STRENGTHEN INTEROPERABILITY
20 ACROSS ARKANSAS; AND TO ESTABLISH THE
21 ARKANSAS INTEROPERABLE COMMUNICATIONS
22 EXECUTIVE COUNCIL.
23
24

25 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
26

27 *SECTION 1. DO NOT CODIFY. Legislative Intent.*

28 *The General Assembly finds that:*

29 *(1) In order to advance public safety, federal, state, and local*
30 *governments strive to achieve interoperability and rely on governance as the*
31 *central factor in achieving a robust interoperable communications capability;*
32 *and*

33 *(2) Governance that allows first responders to coordinate*
34 *activities across jurisdictions will provide structure for policy, protocols,*
35 *and program development among state and local partners.*
36



1 SECTION 2. Arkansas Code § 12-75-103, concerning definitions, is
2 amended to add an additional subdivision to read as follows:

3 (23) "Statewide interoperable communications system" means a
4 system that enables emergency responders and government officials to continue
5 to communicate in the event of a disaster.

6
7 SECTION 3. Arkansas Code Title 12, Chapter 75, Subchapter 1, is
8 amended to add an additional section to read as follows:

9 12-75-134. Arkansas Interoperable Communications Executive Council.

10 (a) The Arkansas Interoperable Communications Executive Council is
11 created.

12 (b) The members of the council are:

13 (1) The Director or the Arkansas Department of Emergency
14 Management or his or her designee;

15 (2) The Director of the Department of Arkansas State Police or
16 his or her designee;

17 (3) The Director of the Department of Information Systems or his
18 or her designee;

19 (4) The president of the Arkansas Emergency Management
20 Association or his or her designee;

21 (5) The Adjutant General or his or her designee;

22 (6) The president of the County Judges Association or his or her
23 designee;

24 (7) The Director of the Department of Finance and Administration
25 or his or her designee; and

26 (8) The Statewide Interoperability Coordinator.

27 (c) The council shall develop and enforce guidelines and procedures
28 concerning the:

29 (1) Use of a statewide interoperable communications systems;

30 (2) Management and operation of a statewide interoperable
31 communications system;

32 (3) Future needs of a statewide interoperable communications
33 system; and

34 (4) Acceptance of funds for the cost of expanding and sustaining
35 the use of a statewide interoperable communications system.

36 (d) The council shall:

1 (1) Review the progress and status of the statewide
2 interoperable communications system program;

3 (2) Develop methods to review and approve projects and programs
4 that affect a statewide interoperable communications system;

5 (3) Examine and resolve public safety issues regarding the use
6 of a statewide interoperable communications system;

7 (4) Advise public safety agencies in the state concerning the
8 acquisition, contracting, repair, renovation, alteration, maintenance,
9 construction, and equipping of communications sites for use by the public
10 safety agencies;

11 (5) Develop advice concerning the need for public safety
12 regarding the potential radio access network deployment by the First
13 Responder Network Authority;

14 (6) Ensure that the communications equipment acquired under this
15 subchapter complies with federal communications rules and laws; and

16 (7) Ensure that the communications equipment acquired under this
17 subchapter is used for the transmission of public safety communications.

18 (e) Communications equipment acquired under this subchapter shall not
19 be used for commercial purposes.

20 (f) The Governor may decide under § 6302(e)(2) of the Middle Class Tax
21 Relief and Job Creation Act of 2012, Pub. L. No. 112-96 whether the state
22 will:

23 (1) Participate in the deployment of the nationwide public
24 safety broadband network in the state as proposed by the First Responder
25 Network Authority; or

26 (2) Conduct its own deployment of a radio access network in the
27 state.

28 (g)(1) The council may by rule set a fee for a public safety agency to
29 join the use of the statewide interoperable communications system.

30 (2) Revenues from fees collected under this subchapter shall be
31 deposited into the Arkansas Interoperable Communications Trust Fund.

32 (h)(1) Assets, commodities, and other property purchased with funds
33 collected under this section are the property of the Department of
34 Information Systems.

35 (2) The council shall promulgate rules concerning the
36 administration of funds collected under this subsection.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36

SECTION 4. Arkansas Code Title 19, Chapter 5, Subchapter 11, is amended to add an additional section to read as follows:

19-5-1142. Arkansas Interoperable Communications Trust Fund.

(a) There is established on the books of the Treasurer of State, the Auditor of State, and the Chief Fiscal Officer of the State a trust fund to be known as the "Arkansas Interoperable Communications Trust Fund".

(b) The fund shall consist of funds received by the Arkansas Interoperable Communications Executive Council, fees and revenues collected under § 12-75-101 et seq., and any other moneys as may be provided by law.

(c) The fund shall be used for the operation, maintenance, and improvement of the statewide interoperable communications system.

/s/Baltz