

AMENDED IN ASSEMBLY APRIL 1, 2004

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

ASSEMBLY BILL

No. 2283

**Introduced by Assembly Member Chu
(Principal coauthor: Assembly Member Ridley-Thomas)**

February 19, 2004

An act to add Article 6.7 (commencing with section 53128) to Chapter 1 of Part 1 of Division 2 of Title 5 of the Government Code, and to add Section 2889.7 to the Public Utilities Code, relating to ~~the community social services telephone system~~ *telecommunications*.

LEGISLATIVE COUNSEL'S DIGEST

AB 2283, as amended, Chu. ~~State community social services~~ “211” telephone number system.

Existing

(1) *Existing* law requires local public safety agencies to maintain a “911” emergency telephone number and among other things, sets forth the duties of the Division of Telecommunications of the Department of General Services in providing management oversight of statewide telecommunications systems developments. Existing law authorizes every local public agency, as defined, to establish a nonemergency “311” telephone system and authorizes the Division of Telecommunications to, among other things, aid local public agencies in the formulation of concepts, methods, and procedures that will improve the operation of “311” systems and to increase cooperation among public agencies.

Under existing law, the Federal Communications Commission has designated “211” to be the national abbreviated dialing code to be used

to access nonemergency community information and referral providers to enable a caller to obtain information concerning social services not currently addressed by either the “911” or “311” system.

Under existing law, the Public Utilities Commission has regulatory authority over public utilities, including telephone corporations. In Decision 03-02-029, the commission established guidelines and procedures whereby the commission can certify information and referral providers as eligible to purchase network telephone service that will enable them to receive calls from those persons who dial “211” and required all local exchange carriers to provide “211” call origination services at reasonable rates in those territories that will be serviced by “211” information and referral providers. Decision 03-02-029 does not address the situation of wireless carriers.

~~This bill would dedicate the digits “211” as the community social services telephone number system require information and referral providers to use the abbreviated dialing code “211,” consistent with the applicable orders of the Federal Communications Commission and the commission, would make the commission responsible for the establishment of the system and the selection of 2-1-1 “211” providers, including the allocation of federal funds made available for the system, and would authorize the Division of Telecommunications, in consultation with the commission, to aid information and referral providers, local exchange carriers, and local public agencies to improve operation of, and access to, a “211” telephone dialing system and to increase cooperation among information and referral providers, local exchange carriers, and public agencies. The bill would require the commission, by rule or order, to require all telephone corporations and all providers of mobile telephony services, as defined, to provide access to subscribers and end users to the “211” community social services telephone number system. The bill would require the commission to establish an administrative committee to advise the commission regarding the development, implementation, and administration of the system, including the allocation of federal funding.~~

Existing

The bill would authorize all state agencies and other official state organizations to provide reasonable assistance and cooperation in carrying out the purposes of the bill, including, but not limited to, promoting the use of ‘211’ dialing for access to social services.

The bill would require the commission to designate a “211” lead entity with prescribed responsibilities and characteristics. The bill



would require the lead entity to allocate federal funds made available for the development, implementation, and administration of a “211” dialing system to accomplish specified goals. The bill would authorize the commission to adopt a plan applicable to regulated telecommunications carriers for implementing a “211” dialing system throughout this state.

(2) Existing law makes any public utility, including a telephone corporation, and any corporation other than a public utility, that violates the Public Utilities Act, or who fails to comply with any part of any order, decision, rule, direction, demand, or requirement of the commission, guilty of a crime.

Because this bill would require a rule or decision of the commission to implement its requirements, a violation of these provisions would be a crime and the bill would thereby impose a state-mandated local program by creating a new crime.

The

(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Article 6.7 (commencing with Section 53128)
2 is added to Chapter 1 of Part 1 of Division 2 of Title 5 of the
3 Government Code, to read:

4

5 Article 6.7. Community Social Services Telephone System

6

7 ~~53128. (a) The digits “211” shall be dedicated as the~~
8 ~~community social services telephone number system. The “211”~~
9 ~~community social services telephone system shall be designed to~~
10 ~~provide a system similar to a “911” or “311” selective routing~~
11 ~~system, whereby the location of the initial call is determined to~~
12 ~~provide a coordinated uniform delivery system to meet the~~
13 ~~specified requirements of each local jurisdiction. Every system~~

1 ~~shall be designed to allow the handling of emergency calls by the~~
2 ~~“911” emergency telephone system.~~

3 ~~(b)~~

4 53128. (a) Information and referral providers shall use the
5 abbreviated dialing code “211,” consistent with the applicable
6 orders of the Federal Communications Commission and the Public
7 Utilities Commission.

8 (b) Except as specified in subdivision (c), a provider of
9 information and referral services that has been authorized by the
10 Public Utilities Commission to use the “211” abbreviated dialing
11 code, and its employees, directors, officers, and agents are not
12 liable to any person in a civil action for injuries or loss to persons
13 or property, as a result of an act or omission of the authorized
14 “211” provider or its employees, directors, officers, or agents, in
15 connection with any of the following:

16 (1) Developing, adopting, implementing, maintaining, or
17 operating a “211” system.

18 (2) Making “211” available for use by the public.

19 (3) Providing “211” services.

20 (c) Subdivision (b) is not applicable to injuries or loss resulting
21 from the willful or wanton misconduct of the “211” service
22 provider or its employees, directors, officers, or agents.

23 (d) The Public Utilities Commission shall, pursuant to Section
24 2889.7 of the Public Utilities Code, be responsible for the selection
25 of 2-1-1 providers. The Division of Telecommunications of
26 the Department of General Services, in consultation with the
27 Public Utilities Commission, may aid information and referral
28 providers, local exchange carriers, and local public agencies to
29 improve operation of a “211” telephone of, and access to, a “211”
30 telephone dialing system and to increase cooperation among
31 information and referral providers, local exchange carriers, and
32 public agencies.

33 SEC. 2. ~~Section 2889.7 is added to the Public Utilities Code,~~
34 ~~to read:~~

35 2889.7. (a) ~~The Public Utilities Commission shall establish~~
36 ~~a “211” community social services telephone system and is~~
37 ~~responsible for selecting local 2-1-1 providers.~~

38 ~~(b) The commission shall establish the 2-1-1 administrative~~
39 ~~committee, which is an advisory board to advise the commission~~
40 ~~regarding the development, implementation, and administration~~

1 of the “211” community social services telephone system,
2 including the allocation and management of federal funding for
3 the system, and do each of the following:

4 (1) The commission shall establish the number of, and
5 qualifications for, persons to serve as members of the 2-1-1
6 administrative committee, and shall appoint the members of the
7 board. In determining the qualifications of persons who will serve
8 as members of the 2-1-1 administrative committee, the
9 commission shall consider the purpose of the program, and shall
10 attempt to achieve balanced public participation for the board. The
11 membership of the 2-1-1 administrative committee shall reflect, to
12 the extent possible, and consistent with existing law, the ethnic and
13 gender diversity of the state.

14 (2) The 2-1-1 administrative committee shall determine,
15 subject to approval by the commission, the time, location, and
16 number of meetings for the board.

17 (3) A majority of the number of members of the 2-1-1
18 administrative committee constitutes a quorum.

19 (4) The 2-1-1 administrative committee cannot act at a meeting
20 without the presence of a quorum.

21 (5) The affirmative vote of a majority of those members present
22 at the meeting of the 2-1-1 administrative committee is necessary
23 in order to pass any motion, resolution, or measure.

24 (6) The commission shall determine whether the 2-1-1
25 administrative committee members shall receive expense
26 reimbursement pursuant to Section 19820 of the Government
27 Code and a per diem allowance, as specified in Section 11564.5 of
28 the Government Code, or as established by the commission. Each
29 member of the 2-1-1 administrative committee who is not a
30 commission or public utility employee, or who is not otherwise
31 compensated by an employer for service on the board, shall be
32 entitled to make a claim for and to receive a per diem allowance,
33 if authorized by the commission. Each member of a board who is
34 not a public utility employee, or who is not otherwise reimbursed
35 by an employer for expenses incurred when serving on the board,
36 shall be entitled to make a claim for and to receive expense
37 reimbursement, if authorized by the commission. The commission
38 shall allow all reasonable expense and per diem claims. The
39 payments shall be subject to the availability of funds for that

1 purpose. The claims shall be filed by the 2-1-1 administrative
2 committee with the commission.

3 ~~(c) The commission shall allocate federal funds made available~~
4 ~~for the development, implementation, and administration of a~~
5 ~~“211” community social services telephone system, so as to~~
6 ~~accomplish each of the following:~~

7 ~~(1) Maximize the federal funds available to local 2-1-1~~
8 ~~providers.~~

9 ~~(2) Consider population and poverty rates when allocating~~
10 ~~funds.~~

11 ~~(3) Consider developmental requirements, in addition to~~
12 ~~operational requirements, when initially allocating funds that are~~
13 ~~made available to local 2-1-1 providers.~~

14 ~~(4) Include a reasonable administration fee sufficient to~~
15 ~~support the activities of the 2-1-1 administrative committee.~~

16 ~~(5) Ensure that any fund matching requirement is met.~~

17 ~~(d) The commission shall, by rulemaking, quasi-legislative or~~
18 ~~other appropriate proceeding, require all telephone corporations~~
19 ~~and providers of mobile telephony services to provide access for~~
20 ~~subscribers and end users to the “211” community social services~~
21 ~~telephone number system.~~

22 ~~(e) For purposes of this section, “mobile telephony services”~~
23 ~~means commercially available interconnected mobile phone~~
24 ~~services that provide access to the public switched telephone~~
25 ~~network (PSTN) via mobile communication devices employing~~
26 ~~radiowave technology to transmit calls, including cellular~~
27 ~~radiotelephone, broadband Personal Communications Services~~
28 ~~(PCS), and digital Specialized Mobile Radio (SMR). “Mobile~~
29 ~~telephony services” does not include mobile satellite services or~~
30 ~~mobile data services used exclusively for the delivery of nonvoice~~
31 ~~information to a mobile device.~~

32 ~~(e) All state agencies and other official state organizations may~~
33 ~~provide reasonable assistance and cooperation in carrying out the~~
34 ~~purposes of this article, including, but not limited to, promoting the~~
35 ~~use of “211” dialing for access to social services.~~

36 *SEC. 2. Section 2889.7 is added to the Public Utilities Code,*
37 *to read:*

38 *2889.7. (a) The commission shall designate a “211” lead*
39 *entity responsible for all of the following:*

1 (1) Performing planning, administrative, fiscal, and reporting
2 functions required under any state and federal 2-1-1 funding
3 program.

4 (2) Developing a plan for implementation of 2-1-1 services
5 throughout the state.

6 (3) Allocating 2-1-1 funds to entities in accordance with
7 applicable law.

8 (4) Reporting activities and progress as requested by the
9 Legislature or the commission.

10 (b) The commission shall ensure that the “211” lead entity, to
11 the extent practicable, conforms to the following:

12 (1) Consists of representatives from different geographic areas
13 of the state.

14 (2) Demonstrates substantial experience in providing
15 leadership, education and support to the information and referral
16 industry in California.

17 (3) Demonstrates substantial experience in statewide “211”
18 planning and implementation efforts in California.

19 (4) Demonstrates established relationships with information
20 and referral providers throughout California.

21 (5) Demonstrates the means to maintain established
22 relationships with information and referral providers throughout
23 the state.

24 (6) Demonstrates established relationships with national
25 information and referral interests and established relationships
26 with information and referral interests in other states.

27 (7) Demonstrates the ability to provide training, technical
28 assistance, and service evaluation in adherence with information
29 and referral industry standards.

30 (8) Demonstrates substantial expertise with the operational
31 requirements of information and referral providers in California,
32 including, but not limited to, database resources, software
33 requirements, and referral practices.

34 (c) The “211” lead entity shall allocate federal funds made
35 available for the development, implementation, and
36 administration of a “211” dialing system, to accomplish each of
37 the following:

38 (1) Maximize the federal funds available to local information
39 and referral providers using, or seeking to use, the “211”

1 *abbreviated dialing code to provide comprehensive information*
2 *and referral services in California.*

3 *(2) Consider population and poverty rates when allocating*
4 *funds.*

5 *(3) Consider developmental requirements, in addition to*
6 *operational requirements, when initially allocating funds that are*
7 *made available to local “211” providers.*

8 *(4) Include a reasonable administration fee sufficient to*
9 *support the activities of the “211” lead entity.*

10 *(5) Ensure that any fund matching requirement is met.*

11 *(d) The commission may adopt a plan applicable to regulated*
12 *telecommunications carriers for implementing a “211” dialing*
13 *system throughout this state.*

14 SEC. 3. No reimbursement is required by this act pursuant to
15 Section 6 of Article XIII B of the California Constitution because
16 the only costs that may be incurred by a local agency or school
17 district will be incurred because this act creates a new crime or
18 infraction, eliminates a crime or infraction, or changes the penalty
19 for a crime or infraction, within the meaning of Section 17556 of
20 the Government Code, or changes the definition of a crime within
21 the meaning of Section 6 of Article XIII B of the California
22 Constitution.

