# WEST VIRGINIA LEGISLATURE

## 2026 REGULAR SESSION

## Introduced

# House Bill 5351

By  Delegates Hornby, Akers, Clark, Mallow, Miller,

Willis, Hott, Holstein, Green, and Hanshaw (Mr.

Speaker)

[Introduced February 09, 2026; referred to the

Committee on the Judiciary]

1  A BILL to amend and reenact §7-1-3cc of the Code of West Virginia, 1931, as amended, relating to

2       modernization of fees generated from emergency communication service users; updating

3       the 911 fee to account for advances in technology; and allowing counties to amend the 911

4       fee process for use of communication devices beyond landlines.

*Be it enacted by the Legislature of West Virginia:*

**ARTICLE       1.       COUNTY       COMMISSIONS       GENERALLY**

**§7-1-3cc. Authority of county commissions to establish enhanced emergency telephone**

**systems, technical and operational standards for emergency communications**

**centers and standards for education and training of emergency communications**

**systems personnel; standards for alarm systems; fee upon consumers of telephone**

**service for the systems and for roadway conversion systems; authority to contract**

**with the telephone companies for billing of fee.**

1       (a) In addition to possessing the authority to establish an emergency telephone system

2  pursuant to section four, article six, chapter twenty-four of this code, a county commission or the

3  county commissions of two or more counties may, instead, establish an enhanced emergency

4  telephone system or convert an existing system to an enhanced emergency system. The

5  establishment of such a system shall be subject to the provisions of article six of said chapter. The

6  county commission may adopt rules after receiving recommendations from the West Virginia

7  Enhanced 911 Council concerning the operation of all county emergency communications centers

8  or emergency telephone systems centers in the state, including, but not limited to,

9  recommendations for:

10      (1) Minimum standards for emergency telephone systems and emergency

11  communications centers;

12      (2) Minimum standards for equipment used in any center receiving telephone calls of an

13  emergency nature and dispatching emergency service providers in response to that call and which

14  receives 911 moneys or has basic 911 service funded through its county commission; and

15      (3) Minimum standards for education and training of all personnel in emergency

16  communications centers.

17      (b) A county commission may impose a fee upon ~~consumers of local exchange service~~ <u>911</u>

18  <u>service users</u> within that county for an enhanced emergency telephone system and associated

19  electronic equipment and for the conversion of all rural routes to city-type addressing as provided

20  in section three of this article. <u>The fee may be placed on landline users, users of local exchange</u>

21  <u>services, voice over internet protocol subscribers, or any other user whose use can be reasonably</u>

22  <u>related to 911 services.</u> The fee revenues may only be used solely and directly for the capital,

23  installation, administration, operation and maintenance costs of the enhanced emergency

24  telephone system and of the conversion to city-type addressing and including the reasonable

25  costs associated with establishing, equipping, furnishing, operating or maintaining a county

26  answering point. ~~Effective on July 1, 2006, all county enhanced emergency telephone system fees~~

27  ~~that are in effect as of July 1, 2006, and as such may later be modified by action of a county~~

28  ~~commission, shall be imposed upon in-state subscribers to voice over Internet protocol (VoIP)~~

29  ~~service, as VoIP service is defined by the Federal Communications Commission of the United~~

30  ~~States~~ A nonbusiness VoIP service subscriber shall be considered in-state if the primary

31  residence of the subscriber is located within West Virginia. A business subscriber shall be

32  considered in-state if the site at which the service is primarily used is located within West Virginia.

33  The Public Service Commission may, as it deems appropriate and in accordance with the

34  requirements of due process, issue and enforce orders, as well as adopt and enforce rules,

35  dealing with matters concerning the imposition of county enhanced emergency telephone system

36  fees upon VoIP service subscribers.

37      (c)<u>(1)</u> A county commission may <u>collect a county-imposed 911 user fee or</u> contract with ~~the~~

38  ~~telephone company or companies providing local exchange service within the county for the~~

39  ~~telephone company or companies~~ <u>one or more third parties</u> to act as the billing agent or agents of

40  the county commission for the billing of the fee imposed pursuant to subsection (b) of this section.

41    The cost for the billing agent services may be included as a recurring maintenance cost of the

42    enhanced emergency telephone system.

43         (2) Where a county commission has contracted with a telephone company to act as its

44    billing agent for enhanced emergency telephone system fees, all competing local exchange

45    telephone companies with customers in that county shall bill the enhanced emergency telephone

46    system fees to its respective customers located in that county and shall remit the fee. It may

47    deduct its respective costs for billing in the same manner as the acting billing agent for the

48    enhanced emergency telephone system fee.

49         (d) A county commission of any county with an emergency communications center or

50    emergency telephone system may establish standards for alarm systems, including security, fire

51    and medical alarms.

52         (e) The books and records of all county answering points that benefit from the imposition of

53    the local exchange service fees shall be subject to annual examination by the State Auditor's

54    office.


NOTE: The purpose of this bill is to modernize fees generated from emergency communication service users.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.