

(2) THE BOARD MAY GRANT AN EXCEPTION TO THE PROVISIONS OF PARAGRAPH (1) OF THIS SUBSECTION IN EXTENUATING CIRCUMSTANCES.

(3) A COUNTY WITH AN OPERATIONAL PHASE II WIRELESS ENHANCED 9-1-1 SYSTEM IS EXEMPT FROM THE PROVISIONS OF PARAGRAPH (1) OF THIS SUBSECTION.

SECTION 3. 2. AND BE IT FURTHER ENACTED, That the Department of Public Safety and Correctional Services shall report to the General Assembly on or before December 1, 2007, in accordance with § 2-1246 of the State Government Article, on the status of wireless enhanced 911 deployment and whether the 911 fee paid by subscribers to a commercial mobile radio service provider under § 1-310(a) of the Public Safety Article, as enacted by this Act, should be ~~adjusted~~ *decreased* based on future estimated costs directly relating to the deployment and operation of the wireless enhanced 911 system.

SECTION 3. AND BE IT FURTHER ENACTED, That the Emergency Number Systems Board shall investigate the availability of federal funds under Homeland Security measures and shall report to the General Assembly on or before December 1, 2003, in accordance with § 2-1246 of the State Government Article, on the availability of such funds and on the procedures adopted to ensure proper and accurate collections and accounting of the 9-1-1 fees and additional charges authorized under State law. The report shall detail measures in place to address variances in remittances by telephone companies and CMRS providers, the effects of audit capabilities provided under this Act, and shall make recommendations with regard to the fair and effective administration of the 9-1-1 fees and charges authorized under State law.

SECTION 4. AND BE IT FURTHER ENACTED, That, if Chapter 203 (S.B. 657/H.B. 935 the "Budget Reconciliation and Financing Act of 2003") of the Acts of the General Assembly of 2003 transfers monies from the 9-1-1 Trust Fund originally established under Article 41, § 18-105 of the Annotated Code of Maryland, the changes made to § 1-310 of the Public Safety Article, as amended by Section 1 of this Act, are null and void without the necessity of further action by the General Assembly.

SECTION 5. AND BE IT FURTHER ENACTED, That, for State operating budgets beginning with fiscal 2005, the Governor shall provide a plan for repayment to the 9-1-1 Trust Fund any monies transferred from the 9-1-1 Trust Fund under budget reconciliation and financing legislation or by other means that would result in the use of the monies for a purpose other than the original intended use.

SECTION 4. 6. AND BE IT FURTHER ENACTED, That the term of the initial member of the Emergency Number Systems Board representing a county with a population of 200,000 or more and the term of the initial member of the Emergency Number Systems Board representing a county with a population of less than 200,000 shall expire in 2007.

~~SECTION 5. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take effect on the taking effect of Chapter \_\_\_\_\_ (S.B. 1) of the Acts of the General Assembly of 2003. If Section 2 of this Act takes effect, Section 1 of this Act shall be abrogated and of no further force and effect.~~