

# State Statute Relevant to 911

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1. 2021 Wyoming Statutes  
Title 9 - Administration of the Government  
Chapter 2 - Agencies, Boards, Commissions and Departments Generally  
Article 11 - Public Safety Communications Commission  
**Universal Citation:**Section 9-2-1101 - Commission; Created; Definitions: Section 9-2-1102 - Commission; Composition; Appointment of Members; Removal; Terms; Officers; Vacancies; Meetings: Section 9-2-1103 - Commission; Compensation of Member: Section 9-2-1104 - Commission; Powers and Duties; Advisory Capacity to Promote System Development; Public Meetings; Clerical and Administrative Support.

**9-2-1102. Commission; composition; appointment of members; removal; terms; officers; vacancies; meetings.**

(a) The commission shall consist of thirteen (13) voting members to be appointed by the governor and who may be removed by the governor as provided in W.S. 9-1-202. The voting members shall be appointed from each of the following associations and agencies from their membership:

- (i) Wyoming police chiefs association;
- (ii) Wyoming sheriffs association;
- (iii) Division of criminal investigation, office of the attorney general;
- (iv) Wyoming game and fish department;
- (v) Wyoming department of transportation;
- (vi) Repealed by Laws 2017, ch. 17, § 2.
- (vii) Repealed by Laws 2017, ch. 17, § 2.
- (viii) Wyoming fire chiefs' association;
- (ix) Repealed by Laws 2017, ch. 17, § 2.
- (x) Repealed by Laws 2017, ch. 17, § 2.
- (xi) The public at large;
- (xii) An ambulance and emergency medical services organization;

(xiii) The Wyoming association of municipalities or another municipal government association;

(xiv) The Wyoming county commissioners association or another county government association;

(xv) Repealed by Laws 2017, ch. 17, § 2.

(xvi) Tribal government or a tribal government association;

(xvii) Repealed by Laws 2017, ch. 17, § 2.

(xviii) A member of the Wyoming chapter of the association of public safety communications officials or the national emergency number association;

(xix) The Wyoming office of homeland security.

(b) Repealed by Laws 1991, ch. 121, § 2.

(c) The commission shall elect from its members a chairman, a vice-chairman and a secretary. Vacancies in these offices shall be filled by the commission from its membership. The commission shall meet at least once every three (3) months. Appointments by the governor shall be made within thirty (30) days of expiration of membership terms. Nominee lists shall be furnished within ten (10) days upon expiration of any membership term. Each member shall serve a three (3) year term. A vacancy on the commission shall be filled for the unexpired term by the governor.

(d) The person appointed to the commission pursuant to paragraph (a)(v) of this section shall be the chief technology officer of the Wyoming department of transportation or another employee of the Wyoming department of transportation who oversees information technology or telecommunications systems.

**9-2-1104. Commission; powers and duties; advisory capacity to promote system development; public meetings; clerical and administrative support.**

(a) The commission shall:

(i) Work with the state budget department, the department of enterprise technology services, the department of homeland security and the department of transportation in an advisory capacity to promote the development, improvement and efficiency of public safety communications systems in the state;

- (ii) Report in writing each year to the governor and the joint transportation, highways and military affairs interim committee concerning any problems related to the installation, operation and maintenance of the system and shall make any recommendations it deems appropriate as a part of the report;
  - (iii) Submit a plan for statewide system networking to the department of enterprise technology services for inclusion in the statewide telecommunications plan developed pursuant to W.S. 9-2-2906(g);
  - (iv) In cooperation with participating federal agencies, establish and assess user fees upon any federal law enforcement agency electing to use and participate in the system;
  - (v) Promulgate necessary rules and regulations governing system operation and participation and upon failure to comply with adopted rules and regulations, may suspend system use and participation by any participating and noncomplying public safety agency or private entity;
  - (vi) Determine the participation of public safety agencies and private entities in the wireless communications network;
  - (vii) On or before May 31 of each odd numbered year, submit to the governor and the joint transportation, highways and military affairs interim committee a report covering the period beginning July 1 of the following year and ending June 30 in the fourth succeeding year detailing the expected costs of implementing the statewide system networking plan. The report shall include projections of one-time and recurring costs;
  - (viii) Recommend guidelines and standards for the development, implementation and operation of next generation 911 emergency communications systems and interoperable public safety communications and data systems in the state, including strategies for improving Wyoming's current 911 system. As part of the recommendations developed under this paragraph, the commission may identify short-term and long-term technological and policy solutions that integrate existing legacy communications infrastructure into an interoperable system and may develop and submit recommendations for legislation or other state action to further develop and support next generation 911 operations in Wyoming;
  - (ix) Promulgate necessary rules and regulations governing next generation 911 system operation and participation.
- (b) The commission may hold public meetings throughout the state and may take other appropriate measures to maintain close liaison with regional, county and municipal organizations and agencies involved in the system.

(c) Necessary clerical and administrative support for the commission shall be furnished by the Wyoming department of transportation.

2. 2020 Wyoming Statutes

Title 16 - City, County, State and Local Powers

Chapter 9 - Telephone Service

Article 1 - Emergency Telephone Service

Section 16-9-103 - Imposition of Tax; Liability of User for Tax; Collection; Uncollected Amounts; Discontinuing Service Prohibited.

**Universal Citation:** [WY Stat § 16-9-103 \(2020\)](#)

**16-9-103. Imposition of tax; liability of user for tax; collection; uncollected amounts; discontinuing service prohibited.**

(a) In addition to any other powers for the protection of the public health, a governing body may incur any nonrecurring or recurring costs for the installation, maintenance or operation of a 911 system and may pay these costs by imposing a 911 emergency tax for this service in those portions of the governing body's jurisdiction for which 911 service is to be provided.

(b) In accordance with the provisions of this subsection, and after a public hearing the governing body may, by ordinance in the case of cities and by resolution in the case of counties or special districts, impose a monthly uniform tax on service users within its designated 911 service area in an amount not to exceed seventy-five cents (\$.75) per month on each local exchange access line, per wireless communications access or other technological device that under normal operation is designed or routinely used to access 911. Only one (1) governing body may impose a 911 emergency tax for each 911 system. Except as provided by W.S. 16-9-109 for prepaid wireless communication access and regardless of the level at which the tax is set, if an assessment is made on both local exchange access facilities and wireless communications access, the amount of the tax imposed per local exchange access facility and the amount of the tax imposed per wireless communications access or access by other technological device that under normal operation is designed or routinely used to access 911, shall be equal. Except as provided by W.S. 16-9-109, the proceeds of the 911 emergency tax shall be set aside in an enterprise fund or other separate accounts from which the receipts shall be used to pay for the 911 system costs authorized in W.S. 16-9-105, and may be imposed at any

time following the execution of an agreement with the provider of the service at the discretion of the governing body.

(c) No 911 emergency tax shall be imposed upon more than one hundred (100) local exchange access lines or their equivalent per customer billing.

(d) Collection of any 911 emergency tax from a service user pursuant to this act shall commence at the time specified by the governing body in accordance with this act. Taxes imposed under this act and required to be collected by the service supplier shall be added to and stated separately in the billings to the service user.

(e) Every billed service user shall be liable for any 911 emergency tax imposed under this act until it has been paid to the service supplier or governing body.

(f) An action to collect taxes under subsection (d) of this section may be brought by or on behalf of the public agency imposing the tax. The service supplier shall annually provide the governing body a list of the amounts uncollected along with the names and addresses of delinquent service users. The service supplier is not liable for uncollected amounts.

(g) Any 911 emergency tax imposed under this act shall be collected at the time charges for the telecommunications are collected under the regular billing practice of the service supplier.

(h) Service shall not be discontinued to any service user by any service supplier for the nonpayment of any tax under this act.

(j) The 911 emergency tax imposed pursuant to this section shall only be imposed upon service users whose address is in those portions of the governing body's jurisdiction for which emergency telephone service shall be provided; however, such 911 emergency tax shall not be imposed upon any state or local governmental entity.

(k) Effective January 1, 2015, and every fiscal year through June 30, 2019, the governing body primarily responsible for the expenditure of revenues collected pursuant to this act shall file with the Wyoming public service commission a statement of its gross receipts and expenditures authorized by this act for the prior fiscal year. The Wyoming public service commission is authorized to promulgate rules in consultation with the governing bodies to develop a statement of revenues and expenditures that, to the maximum extent possible, is uniform across governing bodies.

(m) Except as provided in subsection (k) of this section, this section shall not apply to the 911 emergency tax imposed on prepaid wireless communication access by W.S. 16-9-109.

3. 2020 Wyoming Statutes  
Title 16 - City, County, State and Local Powers  
Chapter 9 - Telephone Service  
Article 1 - Emergency Telephone Service  
Section 16-9-104 - Remittance of Tax to the Governing Body; Administrative Fee;  
Establishment of Rate of Tax.  
**Universal Citation:** [WY Stat § 16-9-104 \(2020\)](#)

**16-9-104. Remittance of tax to the governing body; administrative fee; establishment of rate of tax.**

(a) Except as provided in W.S. 16-9-109, any tax imposed under this act and the amounts collected are to be remitted quarterly to the governing body. The amount of the tax collected in one (1) calendar quarter by the service supplier shall be remitted to the governing body no later than fifteen (15) days after the close of the calendar quarter. On or before the sixteenth day of each month following the preceding calendar quarter, a return for the preceding quarter shall be filed with the governing body in a form the governing body and service supplier agree upon. The service supplier required to file the return shall deliver the return together with the remittance of the amount of the tax payable to the governing body. The service supplier shall maintain a record of the amount of each tax collected pursuant to this act. The record shall be maintained for a period of one (1) year after the time the tax was collected.

(b) Except as provided by W.S. 16-9-109, the service supplier remitting the taxes collected under this act may deduct and retain one percent (1%) of the taxes collected as the cost of administration for collecting the taxes.

(c) At least once each calendar year, the governing body shall establish a rate of tax not to exceed the amount authorized. Amounts collected in excess of necessary expenditures within any fiscal year shall be carried forward to subsequent years and shall only be used for the purposes set forth in W.S. 16-9-105. The governing body shall fix the rate, publish notice of its new rate and notify by mail every local exchange access company at least ninety (90) days before the new rate becomes effective. The governing body may at its own expense require an annual audit of the service supplier's books and records concerning the collection and remittance of the taxes authorized by this act.

(d) This section does not apply to the taxes authorized and collected for prepaid wireless communication access under W.S. 16-9-109.

4. 2013 Wyoming Statutes

TITLE 16 - CITY, COUNTY, STATE AND LOCAL POWERS

CHAPTER 9 - TELEPHONE SERVICE

ARTICLE 1 - EMERGENCY TELEPHONE SERVICE

**Universal Citation:** [Universal Citation: WY Stat § 16-9-105 \(2013\)](#)

**16-9-105. Agreements or contracts for 911 emergency reporting systems; use of funds collected.**

(a) Any governing body imposing the tax authorized by this act may enter into an agreement directly with any service supplier to the 911 system or may contract and cooperate with any public agency or any other state for the administration of a 911 system in accordance with law.

(b) Funds collected from the 911 emergency tax imposed pursuant to this act shall be spent solely to pay for public safety answering point and service suppliers' equipment and service costs, installation costs, maintenance costs, monthly recurring charges and other costs directly related to the continued operation of a 911 system including



enhanced wireless 911 service and next generation 911 emergency communications systems. Funds may also be expended for personnel expenses necessarily incurred by a public safety answering point. "Personnel expenses necessarily incurred" means expenses incurred for persons employed to:

(i) Take emergency telephone calls and dispatch them appropriately;

(ii) Maintain the computer database of the public safety answering point; or

(iii) Integrate legacy communications infrastructure for 911 systems into interoperable next generation 911 emergency communications systems.

(c) Funds collected from the charge pursuant to this act shall be credited to a cash account separate from the general fund of the public agency, for payments for public safety answering points and service supplier costs pursuant to subsection (b) of this section. Any monies remaining in the cash account at the end of any fiscal year shall remain in the account for payments during any succeeding year. If any 911 system is discontinued, monies remaining in the account shall, after all payments to the service supplier pursuant to subsection (b) of this section, be transferred to the general fund of the public agency or proportionately to the general fund of each participating public agency.

5. 2020 Wyoming Statutes

Title 16 - City, County, State and Local Powers

Chapter 9 - Telephone Service

Article 1 - Emergency Telephone Service

Section 16-9-106 - Private Listing and Wireless Subscribers, 911 Service.

**Universal Citation:** [WY Stat § 16-9-106 \(2020\)](#)

**16-9-106. Private listing and wireless subscribers, 911 service.**

Private listing and wireless subscribers in 911 service areas waive privacy afforded by non listed or non published numbers to the extent that the name and address associated with the telephone number may be furnished to the 911 system, for call routing, for automatic retrieval of location information and for associated emergency services.

6. 2020 Wyoming Statutes  
Title 16 - City, County, State and Local Powers  
Chapter 9 - Telephone Service  
Article 1 - Emergency Telephone Service  
Section 16-9-107 - Confidentiality of Information.  
**Universal Citation:** [WY Stat § 16-9-107 \(2020\)](#)

#### **16-9-107. Confidentiality of information.**

The information obtained through a 911 system shall be considered a public record under W.S. 16-4-201(a)(v) and access to the information may be denied according to law.

7. 2020 Wyoming Statutes  
Title 16 - City, County, State and Local Powers  
Chapter 9 - Telephone Service  
Article 1 - Emergency Telephone Service  
Section 16-9-108 - Immunity for Providers.  
**Universal Citation:** [WY Stat § 16-9-108 \(2020\)](#)

#### **16-9-108. Immunity for providers.**

No basic emergency service provider or service supplier and no employee or agent thereof shall be liable to any person or entity for infringement or invasion of the right of privacy of any person caused or claimed to have been caused, directly or indirectly, by any act or omission in connection with the installation, operation, maintenance, removal, presence, condition, occasion or use of emergency service features, automatic number

identification, automatic location identification services or provision in an emergency of call location information and the equipment associated therewith, including the identification of the telephone number, address or name associated with the telephone used by the person accessing 911 service, wireless automatic number identification, wireless automatic location identification service or text to 911 service. A governmental entity, public safety agency, local exchange access company, telephone exchange access company or wireless carrier that provides access to an emergency system or any officers, agents or employees thereof is not liable as a result of any act or omission except willful and wanton misconduct or gross negligence in connection with developing, adopting, operating or implementing emergency telephone service, enhanced wireless 911 service, text to 911 service or any 911 system. No public service answering point, wireless carrier, service supplier or any other person shall be civilly or criminally liable for providing call location information pursuant to W.S. 16-9-111.

8. 2020 Wyoming Statutes

Title 16 - City, County, State and Local Powers

Chapter 9 - Telephone Service

Article 1 - Emergency Telephone Service

Section 16-9-109 - State-Wide Imposition of Tax; Prepaid Wireless; Collection; Distribution; Immunity.

**Universal Citation:** [WY Stat § 16-9-109 \(2020\)](#)

**16-9-109. State-wide imposition of tax; prepaid wireless; collection; distribution; immunity.**

(a) Except as otherwise provided in this section, on and after July 1, 2016, there is imposed a 911 emergency tax of one and five-tenths percent (1.5%) on every retail sale of prepaid wireless communications access in Wyoming. The tax shall not be imposed on sales of prepaid wireless communications access intended for resale or upon any state or local governmental entity.

(b) A service supplier who sells prepaid wireless communications access shall collect the tax imposed by subsection (a) of this section from each purchaser of prepaid wireless communications access, whose purchaser shall be considered a service user. The amount of the tax shall be either separately stated on an invoice, receipt or other

similar document that is provided to the service user by the service supplier or shall be otherwise disclosed to the service user.

(c) For purposes of this section, a retail sale of prepaid wireless communications access occurs in Wyoming if the transaction would be sourced to Wyoming under W.S. 39-15-104(f)(xi)(C).

(d) The tax imposed by subsection (a) of this section is the liability of the service user and the service supplier. The service supplier shall be liable to remit all taxes due or collected as provided in subsection (g) of this section.

(e) If the tax collected pursuant to this section is separately stated on an invoice, receipt or similar document provided to the service user by the service supplier, the tax shall not be included in the base for calculating any other tax, fee, surcharge or other charge imposed by this state, any political subdivision of the state or any intergovernmental agency.

(f) When prepaid wireless communication access is sold with one (1) or more other products or services for a single, nonitemized price, the tax authorized by subsection (a) of this section shall not be applied to a retail sale of prepaid wireless communications access of ten (10) or fewer minutes or which has a value of five dollars (\$5.00) or less.

(g) All taxes collected under subsection (a) of this section shall be remitted by the service supplier who collected them to the department of revenue as follows:

(i) A service supplier shall remit to the department of revenue all monies collected at the times and in the manner provided by W.S. 39-15-107(a). The department of revenue may establish by rule procedures reasonably necessary to facilitate the transfer of these monies. The service supplier shall be subject to the penalty and enforcement provisions provided by W.S. 39-15-108 for any failure to collect or remit funds;

(ii) A service supplier remitting collected taxes may deduct and retain three percent (3%) of the taxes collected as the cost of administration for collecting the taxes;

(iii) The audit and appeal procedures applicable to the collection of state sales taxes shall apply to the collection and remittance of taxes authorized by this section;

(iv) Pursuant to rules adopted for this purpose, the department of revenue shall establish a procedure by which service suppliers shall document that a transaction is not a retail sale subject to the tax imposed by this section. The procedure shall be substantially similar to the procedure used to document a sale for resale transaction for purposes of sales tax.

(h) The monies collected by the department of revenue under this section shall not be general revenues of the state and shall be held by the department in a separate account for distribution as follows:

(i) The department shall deduct one percent (1%) of the total monies collected to cover its administrative expenses and costs, which amount shall be remitted to the treasurer for credit to the general fund;

(ii) After deduction of the amount authorized by paragraph (i) of this subsection, the department shall pay all remaining amounts collected to each county that imposes and collects the 911 emergency tax authorized by W.S. 16-9-103;

(iii) The payment authorized by paragraph (ii) of this subsection shall be remitted to the county no later than fifteen (15) days after the close of the calendar quarter and is subject to the requirements of paragraph (iv) of this subsection;

(iv) Each county receiving payment pursuant to paragraph (ii) of this subsection shall receive three percent (3%) of the total amount distributed pursuant to paragraph (ii) of this subsection. Each county shall receive the remaining balance of the amount

distributed under paragraph (ii) of this subsection in proportion to the percentage that the county's total population relates to the state's total population;

(v) If a governing body other than a county imposes a 911 emergency tax pursuant to W.S. 16-9-103, the county in which that governing body is located shall divide all monies received by the county pursuant to paragraph (iv) of this subsection equally between the county and the governing body;

(vi) All funds received by any governing body pursuant to this subsection shall be expended only for the purposes authorized by W.S. 16-9-105;

(vii) Amounts collected by any governing body pursuant to this subsection in excess of necessary expenditures within any fiscal year shall be carried forward to subsequent years and shall be used only for the purposes authorized by W.S. 16-9-105;

(viii) The department of revenue may promulgate rules necessary to implement this subsection.

(j) The department of revenue and the Wyoming public service commission shall jointly report to the joint corporations, elections and political subdivisions committee on or before July 1, 2019 and every four (4) years thereafter. The report required by this subsection shall contain an analysis of the tax rate imposed by subsection (a) of this section and shall determine whether that tax rate places a tax burden on purchasers of prepaid wireless communication access which is substantially equivalent to the tax burden imposed by W.S. 16-9-103(b). If the tax burden imposed by this section is not substantially equivalent to the tax burden imposed by W.S. 16-9-103(b), the department and the commission shall advise the committee on the tax rate that would make the burden imposed by the two (2) taxes equivalent. The department of revenue and the Wyoming public service commission may adopt rules requiring the reporting of sales data or other information necessary to complete the analysis required by this subsection.

Title 16 - City, County, State and Local Powers  
Chapter 9 - Telephone Service  
Article 1 - Emergency Telephone Service  
Section 16-9-110 - Statewide 911 Coordinator.  
**Universal Citation:** [WY Stat § 16-9-110 \(2019\)](#)

**16-9-110. Statewide 911 coordinator.**

The governor shall designate an individual within the department of transportation as the statewide 911 coordinator, who shall be a qualified elector of the state and whose duties may be removed by the governor. The coordinator shall be responsible for coordinating with 911 local and state stakeholders to develop a statewide 911 plan and ensuring compliance with federal grant regulations.