



# County Technical Assistance Service

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## Emergency Communications Districts

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Dear Reader:

The following document was created from the CTAS electronic library known as e-Li. This online library is maintained daily by CTAS staff and seeks to represent the most current information regarding issues relative to Tennessee county government.

We hope this information will be useful to you; reference to it will assist you with many of the questions that will arise in your tenure with county government. However, the *Tennessee Code Annotated* and other relevant laws or regulations should always be consulted before any action is taken based upon the contents of this document.

Please feel free to contact us if you have questions or comments regarding this information or any other e-Li material.

Sincerely,

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## Emergency Communications Districts

**Reference Number:** CTAS-187

The establishment of a uniform emergency number to shorten the time required for a citizen to request and receive emergency aid is intended to save lives, reduce the destruction of property, quickly apprehend criminals and save money. Therefore, the legislative body may create an emergency communications district within all or part of its boundaries if the eligible voters in the district approve. The 911 service is funded by an emergency telephone service charge in telephone bills and county appropriations. T.C.A. §§ 7-86-102, 7-86-105, 7-86-108. The legislative body may, by two-thirds vote, reduce the emergency communications district levy established by the district's board of directors so long as this reduction does not reduce funding below the level reasonably required to fund the authorized activities of the district. The reduced levy remains effective until rescinded by a majority vote of the legislative body. T.C.A. § 7-86-108(c). Revenues from tariffs must be used for operating the district and purchasing necessary equipment. T.C.A. § 7-86-108(d). See Op. Tenn. Atty Gen. 08-193 (December 29, 2008).

The board of directors of the emergency communications district consists of seven, eight or nine members as provided by resolution of the county legislative body. The county mayor appoints members to this board, subject to confirmation of the county legislative body. T.C.A. § 7-86-105(b).

Pursuant to T.C.A. § 7-86-301 *et seq.*, there is a nine-member statewide emergency communications board in the state Department of Commerce and Insurance to oversee the implementation of enhanced 911 service to wireless telephone users. In addition to levying a service charge on wireless phone service and implementing the new network, this board has certain supervisory powers over local 911 boards, particularly as it relates to financial stability. The board can set rules and regulations for the operation of emergency communications districts, examine the financial condition of districts, prescribe a rate structure, raise rates or order the consolidation of districts. The board is also authorized to order an election for the purpose of establishing a district for any county that failed to create a district by 2001. If a member of a local board of directors of an emergency communications district fails to attend meetings, refuses to carry out the orders of the state board, or otherwise neglects his or her duties, the state board, the city, or the county may pursue an action in the chancery court to remove the member. T.C.A. § 7-86-314. See Op. Tenn. Atty. Gen. 09-13 (February 6, 2009).

The statewide emergency communications board may withhold revenue from the charge on commercial mobile radio service to the local emergency communications district if the district is operating in violation of state law or fails to correct a specific violation of state law, including, but not limited to, failing to submit an annual budget or audit. Also, the state board may withhold funds if it deems the district is not taking sufficient actions or acting in good faith to establish, maintain or advance wireline or wireless E-911 service. T.C.A. § 7-86-108.

Any board member, executive committee member, employee, officer, or other authorized person of an emergency communications district who receives public funds, has authority to make expenditures from public funds, or has access to public funds is required to provide a corporate surety bond in a reasonable amount determined by the amount of revenues handled by the district. The minimum amounts for these bonds are set out in T.C.A. § 7-86-119. These bonds must be recorded in the office of the register of deeds and filed in the office of the county clerk.

Every 911 or public safety dispatcher that receives an initial 911 call from the public is subject to the training and course requirements set by the state board. T.C.A. § 58-2-201.

Purchasing by an emergency communications district is to be carried out in accordance with the County Purchasing Law of 1983, compiled in title 5, chapter 14, part 2 of the Tennessee Code Annotated. The district board of directors is deemed to be the governing body for purposes of these statutes. T.C.A. § 7-86-121.

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