

# House Bill 3533

Sponsored by Representative MATTHEWS; Representative BARKER

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Requires provider and resellers of cellular service to provide, at request of law enforcement agency, cellular device location information for purpose of responding to 9-1-1 emergency call or emergency involving risk of death or serious physical harm.

## A BILL FOR AN ACT

1  
2 Relating to emergency access to cellular telephone location data.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. (1) At the request of a law enforcement agency, a provider of cellular service**  
5 **or a reseller of cellular service shall provide call location information concerning a cellular**  
6 **device used to request the law enforcement agency to respond to a 9-1-1 emergency call or,**  
7 **notwithstanding the limitations of ORS 403.135 (3), an emergency situation that involves the**  
8 **risk of death or serious physical harm.**

9 **(2) The Office of Emergency Management shall:**

10 **(a) Maintain a database containing emergency contact information for providers of cel-**  
11 **lular service that are registered to do business in this state, or that submit to the jurisdic-**  
12 **tion of this state, and for resellers of cellular service; and**

13 **(b) Make the information immediately available upon request to a public safety answering**  
14 **point in this state.**

15 **(3) A provider of cellular service that is registered to do business in this state, or that**  
16 **submits to the jurisdiction of this state, and a reseller of cellular service shall submit**  
17 **emergency contact information for the provider, or reseller, to the office to facilitate re-**  
18 **quests for call location information from a law enforcement agency under this section. Con-**  
19 **tact information submitted under this subsection must be submitted by June 15 of each year**  
20 **or immediately after a change in contact information.**

21 **(4) A cause of action does not arise against a provider of cellular service, a reseller of**  
22 **cellular service or the officers, employees or agents of the provider or reseller for providing**  
23 **call location information in good faith as required by this section.**

24 **(5) A provider of cellular service or a reseller of cellular service may establish protocols**  
25 **by which the provider or reseller can voluntarily disclose call location information as re-**  
26 **quired by this section.**

27 **(6) The office may adopt rules to implement this section.**

28 **(7) This section shall be known, and may be cited, as the Kelsey Smith Act.**  
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**NOTE:** Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.