

**REVENUE:** No revenue impact

**FISCAL:** Minimal fiscal impact, no statement issued

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**Action:** Do Pass with Amendments to the A-Engrossed Measure (Printed B-Engrossed)

**Vote:** 4 - 0 - 0

**Yeas:** Monnes Anderson, Olsen, President Courtney, Boquist

**Nays:** 0

**Exc.:** 0

**Prepared By:** Cheyenne Ross, Administrator

**Meeting Dates:** 2/19

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**WHAT THE MEASURE DOES:** Creates Kelsey Smith Act requiring providers of radio communications service for cellular providers (cellular service) to provide cellular device location information, or best available location information, for purpose of emergency response to situation involving risk of death or serious physical harm at request of law enforcement. Requires cellular service registered in Oregon or subject to Oregon jurisdiction, provide emergency contact information by June 15<sup>th</sup> each year or when information changes. Requires Office of Emergency Management (OEM) maintain database of cellular service emergency contact information for disclosure to public safety answering points (PSAPs) as specified. Requires OEM coordinate data collection with PSAPs and law enforcement and report to legislature biennially. Prohibits cause of action against cellular service complying in good faith.

**ISSUES DISCUSSED:**

- Circumstances of Ms. Smith’s death
- Cooperation of cellular service providers

**EFFECT OF COMMITTEE AMENDMENT:** Permits cellular service to provide call location information or “the best available location information.”

**BACKGROUND:** Kelsey Smith, of Overland Park, Kansas, was forcibly abducted from a store parking lot, raped, and strangled to death with her own belt, all on the evening of June 2, 2007. She was 18, and had recently graduated from high school. One or two calls were made to her mobile phone the evening of her murder. Through law enforcement efforts, her cellular service disclosed the call information and identified the nearest cellular tower, but it was some days after her murder: her body was discovered in under an hour, about 20 miles from where she was abducted.

House Bill 4022B requires cellular device location information be provided only when law enforcement is responding to emergencies that involve risk of serious injury or death.