

## HOUSE AMENDMENTS TO HOUSE BILL 4022

By COMMITTEE ON VETERANS' SERVICES AND EMERGENCY PREPAREDNESS

February 14

1 In line 2 of the printed bill, after "device" insert "; creating new provisions; and amending ORS  
2 403.135".

3 Delete lines 4 through 7 and insert:

4 "**SECTION 1. Section 2 of this 2014 Act is added to and made a part of ORS 403.105 to**  
5 **403.250.**

6 "**SECTION 2.** (1) At the request of a law enforcement agency, a provider of radio communi-  
7 cations service for cellular devices shall provide the call location information of a cellular device  
8 that is used to place a 9-1-1 call requesting emergency assistance from the law enforcement agency  
9 or is reasonably believed to be in the possession of an individual that the law enforcement agency  
10 reasonably believes is in an emergency situation that involves the risk of death or serious physical  
11 harm to the individual."

12 In line 11, delete ", or re-".

13 In line 12, delete "sellers, of cellular service" and insert "of radio communications service for  
14 cellular devices".

15 In line 16, delete ", or reseller, of cellular service".

16 In line 18, delete ", or reseller,".

17 In line 19, delete ", or reseller," and insert "of radio communications service for cellular  
18 devices".

19 In line 23, delete ", or reseller, of cellular service" and insert "of radio communications service  
20 for cellular devices".

21 In line 24, delete ", or reseller,".

22 Delete lines 26 through 28 and insert:

23 "(5) The office shall coordinate with public safety answering points and law enforcement agen-  
24 cies the collection of information regarding the disclosure of call location information under this  
25 section and make a written report biennially. The office shall provide the report to the Legislative  
26 Assembly as provided in ORS 192.245. The report must contain information regarding:

27 "(a) The number and circumstances of requests received, by public safety answering point and  
28 by law enforcement agency, to disclose the call location information for a cellular device reasonably  
29 believed to be in the possession of an individual that the law enforcement agency reasonably be-  
30 lieves is in an emergency situation that involves the risk of death or serious physical harm to the  
31 individual.

32 "(b) Analysis of any circumstances in which the receipt of information described in paragraph  
33 (a) of this subsection is not provided at all or not provided in a timely manner."

34 After line 30, insert:

35 "**SECTION 3.** ORS 403.135 is amended to read:

1       “403.135. (1) Each telecommunications utility that provides exchange access service or radio  
2 communications service and that provides automatic number identification to public safety answer-  
3 ing points may not block the number of the calling party from being forwarded on 9-1-1 calls.

4       “(2) Automatic number identifications received by public safety answering points are confiden-  
5 tial and are not subject to public disclosure unless and until an official report is written by the  
6 public or private safety agency and that agency does not withhold the telephone number under ORS  
7 192.410 to 192.505 or other state and federal laws. The official report of a public safety answering  
8 point may not include nonpublished or nonlisted telephone numbers. The official report of a public  
9 or private safety agency may not include nonpublished or nonlisted telephone numbers. Nonpub-  
10 lished or nonlisted telephone numbers are not otherwise subject to public disclosure without the  
11 permission of the subscriber.

12       “(3) A provider is not subject to an action for civil damages for providing in good faith confi-  
13 dential or nonpublic information, including nonpublished and nonlisted subscriber information, to  
14 emergency services providers who are:

15       “(a) Responding to emergency calls placed to a 9-1-1 emergency reporting system;

16       “(b) **Responding to emergency situations that involve the risk of death or serious physical**  
17 **harm to an individual, as provided in section 2 of this 2014 Act; or**

18       “(c) Notifying the public of an emergency. [*This*]

19       “(4) Subsection (3) of this section does not compel a provider to provide nonpublished and  
20 nonlisted subscriber information directly to emergency services providers or law enforcement agen-  
21 cies prior to placement of an emergency call to a 9-1-1 emergency reporting system without process  
22 of law.

23       “(5) Subscriber information acquired by a 9-1-1 jurisdiction for the purpose of enhancing a 9-1-1  
24 emergency reporting system is not subject to public disclosure and may not be used by other public  
25 agencies except:

26       “(a) To respond to a 9-1-1 call;

27       “(b) **To respond to an emergency situation that involves the risk of death or serious**  
28 **physical harm to an individual, as provided in section 2 of this 2014 Act; or**

29       “[(b)] (c) To notify the public of an emergency by utilizing an automated telephone notification  
30 system if a provider has provided subscriber information to the 9-1-1 jurisdiction or emergency ser-  
31 vices provider.”.

32

---