

**PROPOSED AMENDMENTS TO
HOUSE BILL 4022**

1 In line 2 of the printed bill, after “device” insert “; creating new pro-
2 visions; and amending ORS 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**
5 **of ORS 403.105 to 403.250.**

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

13 In line 11, delete “, or re-”.

14 In line 12, delete “sellers, of cellular service” and insert “of radio com-
15 munications service for cellular devices”.

16 In line 16, delete “, or reseller, of cellular service”.

17 In line 18, delete “, or reseller,”.

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

20 In line 23, delete “, or reseller, of cellular service” and insert “of radio
21 communications service for cellular devices”.

22 In line 24, delete “, or reseller,”.

1 Delete lines 26 through 28 and insert:

2 “(5) The office shall coordinate with public safety answering points and
3 law enforcement agencies the collection of information regarding the disclo-
4 sure of call location information under this section and make a written re-
5 port biennially. The office shall provide the report to the Legislative
6 Assembly as provided in ORS 192.245. The report must contain information
7 regarding:

8 “(a) The number and circumstances of requests received, by public safety
9 answering point and by law enforcement agency, to disclose the call location
10 information for a cellular device reasonably believed to be in the possession
11 of an individual that the law enforcement agency reasonably believes is in
12 an emergency situation that involves the risk of death or serious physical
13 harm to the individual.

14 “(b) Analysis of any circumstances in which the receipt of information
15 described in paragraph (a) of this subsection is not provided at all or not
16 provided in a timely manner.”

17 After line 30, insert:

18 **“SECTION 3.** ORS 403.135 is amended to read:

19 “403.135. (1) Each telecommunications utility that provides exchange ac-
20 cess service or radio communications service and that provides automatic
21 number identification to public safety answering points may not block the
22 number of the calling party from being forwarded on 9-1-1 calls.

23 “(2) Automatic number identifications received by public safety answering
24 points are confidential and are not subject to public disclosure unless and
25 until an official report is written by the public or private safety agency and
26 that agency does not withhold the telephone number under ORS 192.410 to
27 192.505 or other state and federal laws. The official report of a public safety
28 answering point may not include nonpublished or nonlisted telephone num-
29 bers. The official report of a public or private safety agency may not include
30 nonpublished or nonlisted telephone numbers. Nonpublished or nonlisted

1 telephone numbers are not otherwise subject to public disclosure without the
2 permission of the subscriber.

3 “(3) A provider is not subject to an action for civil damages for providing
4 in good faith confidential or nonpublic information, including nonpublished
5 and nonlisted subscriber information, to emergency services providers who
6 are:

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

9 “(b) **Responding to emergency situations that involve the risk of**
10 **death or serious physical harm to an individual, as provided in section**
11 **2 of this 2014 Act; or**

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

13 “(4) Subsection (3) of this section does not compel a provider to provide
14 nonpublished and nonlisted subscriber information directly to emergency
15 services providers or law enforcement agencies prior to placement of an
16 emergency call to a 9-1-1 emergency reporting system without process of law.

17 “(5) Subscriber information acquired by a 9-1-1 jurisdiction for the pur-
18 pose of enhancing a 9-1-1 emergency reporting system is not subject to public
19 disclosure and may not be used by other public agencies except:

20 “(a) To respond to a 9-1-1 call;

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

24 “[*b*] (c) To notify the public of an emergency by utilizing an automated
25 telephone notification system if a provider has provided subscriber informa-
26 tion to the 9-1-1 jurisdiction or emergency services provider.”.

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