

House Bill 2919

Sponsored by Representatives OLSON, 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**.

Eliminates reporting requirement related to disclosure, at request of law enforcement agency, of call location information of cellular device used to call 9-1-1 or believed to be in possession of individual who is believed to be in emergency situation.

A BILL FOR AN ACT

1
2 Relating to emergency access to call location information of cellular device; amending section 2,
3 chapter 29, Oregon Laws 2014.

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

5 **SECTION 1.** Section 2, chapter 29, Oregon Laws 2014, is amended to read:

6 **Sec. 2.** (1) At the request of a law enforcement agency, a provider of radio communications
7 service for cellular devices shall provide the call location information, or the best available location
8 information, of a cellular device that is:

9 (a) Used to place a 9-1-1 call requesting emergency assistance from the law enforcement agency;
10 or

11 (b) Reasonably believed to be in the possession of an individual that the law enforcement agency
12 reasonably believes is in an emergency situation that involves the risk of death or serious physical
13 harm to the individual.

14 (2) To facilitate requests for call location information, or the best available location information,
15 from a law enforcement agency under this section:

16 (a) The Office of Emergency Management shall:

17 (A) Maintain a database containing emergency contact information for providers of radio com-
18 munications service for cellular devices that are registered to do business in this state or that sub-
19 mit to the jurisdiction of this state; and

20 (B) Make the information immediately available upon request to a public safety answering point
21 in this state.

22 (b) A provider that is registered to do business in this state, or that submits to the jurisdiction
23 of this state, shall submit emergency contact information for the provider to the office.

24 (3) Emergency contact information submitted by a provider of radio communications service for
25 cellular devices under this section must be submitted by June 15 of each year or immediately after
26 a change in contact information.

27 (4) Notwithstanding the limitations of ORS 403.135 (3), a cause of action does not arise against
28 a provider of radio communications service for cellular devices or the officers, employees or agents
29 of the provider for providing call location information, or the best available location information, in
30 good faith as required by this section.

31 *[(5) The office shall coordinate with public safety answering points and law enforcement agencies*

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.

1 *the collection of information regarding the disclosure of call location information, or the best available*
2 *location information, under this section and make a written report biennially. The office shall provide*
3 *the report to the Legislative Assembly as provided in ORS 192.245. The report must contain informa-*
4 *tion regarding:]*

5 *[(a) The number and circumstances of requests received, by public safety answering point and by*
6 *law enforcement agency, to disclose the call location information, or the best available location infor-*
7 *mation, for a cellular device reasonably believed to be in the possession of an individual that the law*
8 *enforcement agency reasonably believes is in an emergency situation that involves the risk of death or*
9 *serious physical harm to the individual.]*

10 *[(b) Analysis of any circumstances in which the receipt of location information described in para-*
11 *graph (a) of this subsection is not provided at all or not provided in a timely manner.]*

12 *[(6)] (5) The office may adopt rules to implement this section.*

13 *[(7)] (6) This section shall be known, and may be cited, as the Kelsey Smith Act.*

14