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State of Minnesota HOUSE OF REPRESENTATIVES

EIGHTY-SIXTH SESSION

HOUSE FILE No. 2639

February 4, 2010

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The bill was read for the first time and referred to the Committee on Commerce and Labor

March 4, 2010

Committee Recommendation and Adoption of Report:

To Pass and re-referred to the Committee on Public Safety Policy and Oversight

March 11, 2010

Committee Recommendation and Adoption of Report:

To Pass and re-referred to the Committee on Civil Justice

1.1 A bill for an act
1.2 relating to public safety; authorizing wireless telecommunications service
1.3 providers to provide call locations for emergencies; amending Minnesota Statutes
1.4 2008, section 626A.01, by adding a subdivision; proposing coding for new law
1.5 in Minnesota Statutes, chapter 626A.

1.6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.7 Section 1. Minnesota Statutes 2008, section 626A.01, is amended by adding a
1.8 subdivision to read:

1.9 Subd. 21. **Wireless telecommunications service provider.** "Wireless
1.10 telecommunications service provider" means a provider of commercial mobile services, as
1.11 that term is defined in United States Code, title 47, section 332(d), including all broadband
1.12 personal communications services, wireless radio services, and incumbent wide area
1.13 specialized mobile radio licensees, that offers real-time, two-way service interconnected
1.14 with the public switched telephone network and that is doing business in Minnesota.

1.15 **EFFECTIVE DATE.** This section is effective August 1, 2010.

1.16 Sec. 2. **[626A.075] AUTHORIZATION FOR CALL LOCATION; EMERGENCY**
1.17 **SITUATIONS.**

1.18 (a) Upon request of an investigative or law enforcement officer, a wireless
1.19 telecommunications service provider shall provide call location information concerning
1.20 the telecommunications device of the user to the requesting officer in order to respond
1.21 to a call for emergency services or in an emergency situation that involves the risk of
1.22 death or serious physical harm.

2.1 (b) Notwithstanding any other provision of law to the contrary, nothing in this
2.2 section prohibits a wireless telecommunications service provider from establishing
2.3 protocols by which the provider could voluntarily disclose call location information.

2.4 (c) No cause of action shall lie in any court against any wireless telecommunications
2.5 service provider, its officers, employees, agents, or other specified persons for providing
2.6 call location information while acting in good faith and in accordance with the provisions
2.7 of this section. All wireless telecommunications service providers will be held harmless
2.8 from any and all claims, damages, costs, expenses, including attorney fees, arising from or
2.9 related to release of call location information.

2.10 (d)(1) The bureau shall obtain contact information for all wireless
2.11 telecommunications service providers authorized to do business in Minnesota or
2.12 submitting to the jurisdiction thereof in order to facilitate a request from an investigative
2.13 or law enforcement officer for call location information in accordance with this section.

2.14 (2) The bureau shall disseminate the information obtained pursuant to clause (1) on
2.15 a quarterly basis or immediately as changes occur, to all public safety answer points in
2.16 the state.

2.17 **EFFECTIVE DATE.** This section is effective August 1, 2010.