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State of Minnesota

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HOUSE OF REPRESENTATIVES

EIGHTY-SIXTH SESSION

HOUSE FILE NO. 2639

February 4, 2010

Authored by Johnson, Atkins and Lenczewski

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

March 22, 2010

Committee Recommendation and Adoption of Report:

To Pass as Amended

Read Second Time

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; proposing coding for new
1.4 law in Minnesota Statutes, chapter 237.

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

1.6 Section 1. [237.82] DEFINITIONS.

1.7 (a) "Call location information" means information indicating the geographical
1.8 location of a telecommunications device.

1.9 (b) "Law enforcement agency" has the meaning given in section 626.84, subdivision
1.10 1, paragraph (f).

1.11 (c) "Wireless telecommunications service provider" has the meaning given in
1.12 section 403.02, subdivision 21.

1.13 Sec. 2. [237.83] AUTHORIZATION FOR CALL LOCATION INFORMATION
1.14 DISCLOSURE.

1.15 (a) Upon written request of a law enforcement agency, a wireless telecommunications
1.16 service provider shall provide call location information for the telecommunications
1.17 device of the user identified in the request to the law enforcement agency to assist the
1.18 law enforcement agency to respond to an emergency situation that involves the risk of
1.19 death or serious physical harm to the user.

1.20 (b) A wireless telecommunications service provider shall establish protocols
1.21 consistent with this section that govern its response to a request of a law enforcement
1.22 agency under paragraph (a).

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

2.8 (d) The bureau of criminal apprehension shall:

2.9 (1) obtain contact information for all wireless telecommunications service providers
2.10 authorized to do business in Minnesota or submitting to the jurisdiction of Minnesota in
2.11 order to facilitate a request from a law enforcement agency for call location information
2.12 according to this section; and

2.13 (2) disseminate the information obtained pursuant to clause (1) on a quarterly basis
2.14 or immediately as changes occur to all public safety answering points in the state.

2.15 **Sec. 3. EFFECTIVE DATE.**

2.16 Sections 1 and 2 are effective August 1, 2010.