

CS FOR HOUSE BILL NO. 316(STA)

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-THIRD LEGISLATURE - SECOND SESSION

BY THE HOUSE STATE AFFAIRS COMMITTEE

Offered:**Referred:****Sponsor(s): REPRESENTATIVE C. JOHNSON****A BILL****FOR AN ACT ENTITLED**

1 "An Act relating to law enforcement requests for wireless telephone location
2 information in emergencies; and providing for an effective date."

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 * **Section 1.** AS 42.20 is amended by adding a new section to read:

5 **Article 5. Emergency Wireless Telephone Location Disclosure.**

6 **Sec. 42.20.400. Providing wireless telephone location in emergency.** (a) At
7 the request of a law enforcement agency, a wireless telephone company shall provide
8 the available current or most recent location of a wireless telephone to the agency
9 without delay if the agency asserts that the agency has a reasonable basis to believe
10 that the telephone is in the possession of an individual who is in an ongoing
11 emergency that involves the risk of death or serious physical harm.

12 (b) A wireless telephone company may establish protocols to voluntarily
13 disclose the location of a wireless telephone consistent with applicable law.

14 (c) A wireless telephone company and its officers, agents, and employees are

1 not liable for providing the location of a wireless telephone to a law enforcement
2 agency while acting in good faith in compliance with (a) of this section.

3 (d) A wireless telephone company authorized to do business in the state shall
4 annually by June 15 supply the department with emergency contact information that
5 can be used to request the location of a wireless telephone under (a) of this section and
6 shall immediately inform the department of any changes to the contact information.

7 (e) The department shall maintain a database containing the emergency
8 contact information submitted under (d) of this section and shall provide the
9 information without delay at the request of a law enforcement agency or emergency
10 communications center.

11 (f) The department shall adopt regulations to implement this section.

12 (g) In this section,

13 (1) "department" means the Department of Public Safety;

14 (2) "emergency communications center" has the meaning given in
15 AS 11.56.785(b);

16 (3) "wireless telephone company" has the meaning given to
17 "commercial mobile service" in 47 U.S.C. 332.

18 * **Sec. 2.** This Act takes effect immediately under AS 01.10.070(c).