

AMENDMENT #9

OFFERED IN THE HOUSE
TO: CSHB 316(STA)

BY REPRESENTATIVE EASTMAN

1 Page 2, following line 2:

2 Insert a new subsection to read:

3 "(d) A wireless carrier that receives a request to provide the location of a
4 wireless device to a law enforcement agency under (a) of this section shall notify the
5 owner of the wireless device of the request as soon as practicable and inform the
6 owner whether information about the location of the device was provided to the law
7 enforcement agency. If the wireless carrier does not notify the owner of the device
8 within 45 days after the request is made, the individual who possessed the wireless
9 device when the request was made may bring an action against the wireless carrier. A
10 wireless carrier that violates this subsection is subject to a civil penalty of not more
11 than \$25,000. The court may award an individual bringing an action under this section
12 costs and full reasonable attorney fees."

13

14 Reletter the following subsections accordingly.

15

16 Page 2, line 8:

17 Delete "(d)"

18 Insert "(e)"