

A bill for an act
relating to public safety; authorizing wireless telecommunications service
providers to provide call locations for emergencies; proposing coding for new
law in Minnesota Statutes, chapter 237.

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

Section 1. **[237.82] DEFINITIONS.**

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

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

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

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

(a) Upon written request of a law enforcement agency, a wireless telecommunications
service provider shall provide call location information for the telecommunications device
of the user identified in the request to the law enforcement agency to assist the law
enforcement agency to respond to an emergency situation that involves the risk of death
or serious physical harm to the user. If, prior to the time the call location information is
provided to a law enforcement agency, the wireless telecommunications service provider
receives a written notice from the law enforcement agency rescinding its request because
it has determined that the user is not in an emergency situation that involves the risk

of death or serious physical harm to the user, the call location information must not be provided to that agency.

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

(c) If a law enforcement agency discovers that the user identified in a call location information request is not in an emergency situation that involves the risk of death or serious physical harm to the user, the agency must, as soon as practicable, notify the wireless telecommunications service provider in writing that the law enforcement agency's request is rescinded. If the law enforcement agency has already received the call location information as a result of its request, the law enforcement agency must treat the information as private data on individuals, as defined in section 13.02, subdivision 12.

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

(e) The bureau of criminal apprehension shall:

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

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

Sec. 3. EFFECTIVE DATE.

Sections 1 and 2 are effective August 1, 2010.