

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 616

BY STATE AFFAIRS COMMITTEE

AN ACT

1 RELATING TO EMERGENCY COMMUNICATIONS; AMENDING CHAPTER 48, TITLE 31, IDAHO
2 CODE, BY THE ADDITION OF A NEW SECTION 31-4820, IDAHO CODE, TO PROVIDE
3 DUTIES OF WIRELESS TELECOMMUNICATIONS CARRIERS REGARDING EMERGENCY
4 SITUATIONS AND TO PROVIDE DUTIES OF THE IDAHO STATE POLICE.
5

6 Be It Enacted by the Legislature of the State of Idaho:

7 SECTION 1. That Chapter 48, Title 31, Idaho Code, be, and the same is
8 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
9 ignated as Section 31-4820, Idaho Code, and to read as follows:

10 31-4820. CALL LOCATION INFORMATION OF TELECOMMUNICATIONS DEVICES IN
11 EMERGENCY SITUATIONS -- TELECOMMUNICATIONS -- CARRIERS -- IDAHO STATE PO-
12 LICE DATABASE -- LAW ENFORCEMENT AGENCY ACCESS. (1) Upon request of a law en-
13 forcement agency, a wireless telecommunications carrier shall provide call
14 location information concerning the telecommunications device of the user
15 to the requesting law enforcement agency in order to respond to a call for
16 emergency services or in an emergency situation that involves the risk of
17 death or serious physical harm.

18 (2) Notwithstanding any other provision of law to the contrary, nothing
19 in this section prohibits a wireless telecommunications carrier from estab-
20 lishing protocols by which the carrier could voluntarily disclose call loca-
21 tion information.

22 (3) No cause of action shall lie in any court against any wireless
23 telecommunications carrier, its officers, employees, agents or other spec-
24 ified persons for providing call location information while acting in good
25 faith and in accordance with the provisions of this section.

26 (4) No provider or seller of wireless telecommunications service shall
27 be liable in any court under a cause of action associated with the inability
28 to locate or ping the device due to the absence of emergency communications
29 systems equipment in the area.

30 (5) All wireless telecommunications carriers registered to do busi-
31 ness in the state of Idaho or submitting to the jurisdiction thereof and
32 all resellers of wireless telecommunications services shall submit their
33 emergency contact information to the Idaho state police in order to facil-
34 itate requests from a law enforcement agency for call location information
35 in accordance with this section. This contact information must be submitted
36 annually by June 15 or immediately upon any change in contact information.

37 (6) The Idaho state police shall maintain a database containing emer-
38 gency contact information for all wireless telecommunications carriers reg-
39 istered to do business in the state of Idaho and shall make the information
40 immediately available upon request to all public safety answer points in the
41 state.

1 (7) Rules shall be promulgated by the director of the Idaho state police
2 in compliance with chapter 52, title 67, Idaho Code, to fulfill the require-
3 ments of this section no later than July 1, 2017.