

1 ENGROSSED SENATE
2 BILL NO. 272

By: Weaver and Stephens of the
Senate

3 and

4 Worthen of the House

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6
7 [wireless telecommunications carriers - Kelsey Smith
8 Act - certain database - codification - effective
9 date]
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11 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

12 SECTION 1. NEW LAW A new section of law to be codified
13 in the Oklahoma Statutes as Section 178 of Title 13, unless there is
14 created a duplication in numbering, reads as follows:

15 A. This act shall be known and may be cited as the "Kelsey
16 Smith Act".

17 B. As used in this act, "law enforcement agency" means any
18 department or agency of this state or a political subdivision of
19 this state that employs CLEET-certified personnel and is empowered
20 by law to maintain public order, make arrests and enforce the
21 criminal laws of this state or municipal ordinances.

22 C. Upon request of a law enforcement agency, a wireless
23 telecommunications carrier shall provide call location information
24 of the telecommunications device of a user to the requesting agency

1 in order to respond to a call for emergency services or in an
2 emergency situation that involves risk of death or serious physical
3 harm. If call location information is provided to a law enforcement
4 agency for the purposes set forth in this section, notice shall be
5 given to the user within thirty (30) days after the call for
6 emergency services or the emergency situation.

7 D. A wireless telecommunications carrier registered to do
8 business in this state or otherwise submitting to the jurisdiction
9 of this state and a reseller of wireless telecommunications services
10 shall submit emergency contact information for the carrier to the
11 Oklahoma State Bureau of Investigation to facilitate requests from a
12 law enforcement agency for call location information in accordance
13 with this section. Such contact information shall be submitted
14 annually by July 1st or immediately upon any change in contact
15 information. OSBI shall maintain a database containing emergency
16 contact information for carriers required pursuant to this
17 subsection and shall make the information immediately available upon
18 request to any law enforcement agency in this state. OSBI shall
19 promulgate rules to implement the requirements of this subsection.
20 Nothing in this subsection shall be construed to require carriers to
21 submit emergency contact information for individual customers to
22 OSBI.

23 E. Nothing in this section shall prohibit a wireless
24 telecommunications carrier from establishing protocols by which the

1 carrier could voluntarily disclose call location information to a
2 law enforcement agency. A wireless telecommunications carrier, its
3 officers, employees or agents shall have no civil or criminal
4 liability for providing call location information while acting in
5 good faith and in accordance with the provisions of this section.

6 SECTION 2. This act shall become effective November 1, 2021.

7 Passed the Senate the 3rd day of March, 2021.

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Presiding Officer of the Senate

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11 Passed the House of Representatives the ____ day of _____,

12 2021.

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Presiding Officer of the House
of Representatives

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