

# An Act

ENROLLED SENATE  
BILL NO. 272

By: Weaver and Stephens of the  
Senate

and

Worthen and Fugate of the  
House

An Act relating to wireless telecommunications carriers; creating the Kelsey Smith Act; defining term; requiring wireless telecommunications carriers to provide call location information under certain emergency circumstances; requiring notice when call location information is provided to a law enforcement agency; requiring submission of certain contact information to the Oklahoma State Bureau of Investigation at specified times; requiring maintenance of certain database; requiring promulgation of certain rules; providing construing provision; prohibiting civil or criminal liability for certain actions; providing for codification; and providing an effective date.

SUBJECT: Wireless telecommunications carriers

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

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

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

B. As used in this act, "law enforcement agency" means any department or agency of this state or a political subdivision of this state that employs personnel certified by the Council on Law Enforcement Education and Training and is empowered by law to maintain public order, make arrests and enforce the criminal laws of this state or municipal ordinances.

C. Upon request of a law enforcement agency, a wireless telecommunications carrier shall provide call location information of the telecommunications device of a user to the requesting agency in order to respond to a call for emergency services or in an emergency situation that involves risk of death or serious physical harm. If call location information is provided to a law enforcement agency for the purposes set forth in this section, notice shall be given to the user within thirty (30) days after the call for emergency services or the emergency situation.

D. A wireless telecommunications carrier registered to do business in this state or otherwise submitting to the jurisdiction of this state and a reseller of wireless telecommunications services shall submit emergency contact information for the carrier to the Oklahoma State Bureau of Investigation (OSBI) to facilitate requests from a law enforcement agency for call location information in accordance with this section. Such contact information shall be submitted annually by July 1 or immediately upon any change in contact information. The OSBI shall maintain a database containing emergency contact information for carriers required pursuant to this subsection and shall make the information immediately available upon request to any law enforcement agency in this state. The OSBI shall promulgate rules to implement the requirements of this subsection. Nothing in this subsection shall be construed to require carriers to submit emergency contact information for individual customers to the OSBI.

E. A wireless telecommunications carrier, its officers, employees or agents shall have no civil or criminal liability for providing call location information while acting in good faith and in accordance with the provisions of this section.

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

Passed the Senate the 28th day of April, 2021.

\_\_\_\_\_  
Presiding Officer of the Senate

Passed the House of Representatives the 15th day of April, 2021.

\_\_\_\_\_  
Presiding Officer of the House  
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

By: \_\_\_\_\_

Approved by the Governor of the State of Oklahoma this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

By: \_\_\_\_\_