



2013 ASSEMBLY BILL 102

March 26, 2013 – Introduced by JOINT LEGISLATIVE COUNCIL. Referred to Committee on Energy and Utilities.

1 **AN ACT** *to repeal* 256.35 (3m) (a) 2.; *to renumber* 256.35 (1) (a) and 256.35 (3)
2 (a) 1.; and *to create* 256.35 (1) (am), (ct) and (em) and 256.35 (12) of the
3 statutes; **relating to:** telecommunications subscriber records, proprietary
4 information of certain communications providers, and updates to certain 911
5 telecommunications service databases.

Analysis by the Legislative Reference Bureau

This bill is explained in the NOTES provided by the Joint Legislative Council in the bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

JOINT LEGISLATIVE COUNCIL PREFATORY NOTE: This bill was prepared for the Joint Legislative Council's Special Committee on 911 Communications.

This bill modifies current law in multiple ways with respect to communications subscriber records and other information. First, it allows communications providers to designate information provided to the office of justice assistance (OJA), or the public service commission (PSC) as "proprietary information," which is defined as information that would aid competitors. Information so designated, and that is also determined by the entity receiving the information from the communications provider to be proprietary information, would not be subject to inspection or copying under the state's open records

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law (s. 19.35, stats.), except with the written consent of the communications provider. Second, it provides that subscriber records provided by communications providers to public safety answering points (PSAPs) for public safety purposes are also not subject to inspection or copying under that law. Finally, it requires 911 telecommunications service providers, communications providers, and PSAPs to take action to update the master street address guide and automatic location identification database within specified time periods.

1 **SECTION 1.** 256.35 (1) (a) of the statutes is renumbered 256.35 (1) (as).

2 **SECTION 2.** 256.35 (1) (am), (ct) and (em) of the statutes are created to read:

3 256.35 (1) (am) “911 service provider” means an entity that contracts with the
4 commission to provide selective routing services, manage updates to the automatic
5 location identification database, manage updates to the master street address guide
6 for a particular geographic area, or provide other services related to the state 911
7 telecommunications system.

8 (ct) “Communications provider” means a person that provides active voice or
9 nonvoice communications service that is capable of accessing a public safety
10 answering point.

11 (em) “Master street address guide” means a database of street names and
12 address number ranges used to determine the proper public safety answering point
13 to which to route a call to “911” and the appropriate police, fire, ambulance, rescue,
14 and medical services agencies to dispatch.

15 **SECTION 3.** 256.35 (3) (a) 1. of the statutes is renumbered 256.35 (1) (cp).

16 **SECTION 4.** 256.35 (3m) (a) 2. of the statutes is repealed.

17 **SECTION 5.** 256.35 (12) of the statutes is created to read:

18 256.35 (12) PROVIDER INFORMATION. (a) *Definition.* In this subsection,
19 “proprietary information” means information that would aid a competitor of a
20 communications provider in competition with the communications provider.

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1 (b) *Proprietary information.* Any information submitted by a communications
2 provider to the office of justice assistance or commission that the communications
3 provider designates as proprietary information, and that the office of justice
4 assistance or commission determines is proprietary information, is confidential and
5 not subject to inspection or copying under s. 19.35, except with the written consent
6 of the communications provider. Information collected by the office of justice
7 assistance or the commission may be released or published only in a manner that
8 does not identify or enable identification of the number of subscribers or revenues
9 attributable to an individual communications provider.

10 (c) *Subscriber records and information.* Subscriber records that a
11 communications provider discloses to a public safety answering point for public
12 safety purposes remain the property of the communications provider. A public safety
13 answering point may access a subscriber record only when a call is placed to “911”
14 from the subscriber’s telephone. Any connection information of a subscriber,
15 including identification of a subscriber’s communications provider, that is obtained
16 from the communications provider by a public safety answering point is not subject
17 to inspection or copying under s. 19.35.

18 (d) *Automatic location identification database and master street address guide*
19 *updates.* 1. In this paragraph, “service” means active voice or nonvoice
20 communications service capable of accessing a public safety answering point that is
21 associated with a particular geographic location.

22 2. No later than 2 business days after a communications provider installs or
23 relocates service for a new or existing customer or after a customer notifies a
24 communications provider of the initial location or relocation of the customer’s
25 service, the communications provider shall submit an update for the automatic

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1 location identification database for that location to the 911 service provider that
2 manages the automatic location identification database for that location.

3 3. If the need for an update to the master street address guide is required for
4 a 911 service provider to process an update received by the 911 service provider under
5 subd. 2., the 911 service provider shall do one of the following within 2 business days
6 after the 911 service provider receives the update:

7 a. Update the master street address guide for that location.

8 b. Identify additional information necessary to update the master street
9 address guide for that location and request that information from the relevant public
10 safety answering point.

11 4. No later than 2 business days after a public safety answering point receives
12 a request for information regarding a location from a communications provider
13 under subd. 3. b., the public safety answering point shall do one of the following:

14 a. Provide the requested information to the 911 service provider.

15 b. Update the master street address guide for that location and notify the 911
16 service provider of the update.

17 5. No later than 2 business days after a 911 service provider receives
18 information regarding a location that is provided by a public safety answering point
19 under subd. 4. a., the 911 service provider shall update the master street address
20 guide for that location.

21 **SECTION 6. Nonstatutory provisions.**

22 (1) RECONCILIATION. This act is void if 2013 Assembly Bill (LRB-0919/1),
23 2013 Assembly Bill (LRB-0921/1), 2013 Assembly Bill (LRB-0922/1), or 2013
24 Assembly Bill (LRB-0923/1) is not enacted.

25 (END)