

1 STATE OF OKLAHOMA

2 1st Session of the 58th Legislature (2021)

3 COMMITTEE SUBSTITUTE

4 FOR ENGROSSED

5 SENATE BILL NO. 272

By: Weaver and Stephens of the
Senate

6 and

7 Worthen of the House

8
9 COMMITTEE SUBSTITUTE

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

24 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".

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

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

16 D. A wireless telecommunications carrier registered to do
17 business in this state or otherwise submitting to the jurisdiction
18 of this state and a reseller of wireless telecommunications services
19 shall submit emergency contact information for the carrier to the
20 Oklahoma State Bureau of Investigation (OSBI) to facilitate requests
21 from a law enforcement agency for call location information in
22 accordance with this section. Such contact information shall be
23 submitted annually by July 1 or immediately upon any change in
24 contact information. The OSBI shall maintain a database containing

1 emergency contact information for carriers required pursuant to this
2 subsection and shall make the information immediately available upon
3 request to any law enforcement agency in this state. The OSBI shall
4 promulgate rules to implement the requirements of this subsection.
5 Nothing in this subsection shall be construed to require carriers to
6 submit emergency contact information for individual customers to the
7 OSBI.

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

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

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