

1 STATE OF OKLAHOMA

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

3 SENATE BILL 272

By: Weaver

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6 AS INTRODUCED

7 An Act relating to wireless telecommunications
8 carriers; creating the Kelsey Smith Act; providing
9 short title; defining term; requiring wireless
10 telecommunications carriers to provide certain call
11 location under certain emergency circumstances;
12 requiring submission of certain contact information
13 to the Oklahoma State Bureau of Investigation at
14 specified times; requiring maintenance of certain
15 database; requiring promulgation of certain rules;
16 construing provisions; prohibiting civil or criminal
17 liability for certain actions; providing for
18 codification; and providing an effective date.

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

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

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

25 B. As used in this act, "law enforcement agency" means any
26 department or agency of this state or a political subdivision of
27 this state that employs CLEET-certified personnel and is empowered

1 by law to maintain public order, make arrests and enforce the
2 criminal laws of this state or municipal ordinances.

3 C. Upon request of a law enforcement agency, a wireless
4 telecommunications carrier shall provide call location information
5 of the telecommunications device of a user to the requesting agency
6 in order to respond to a call for emergency services or in an
7 emergency situation that involves risk of death or serious physical
8 harm.

9 D. All wireless telecommunications carriers registered to do
10 business in this state or otherwise submitting to the jurisdiction
11 thereof and all resellers of wireless telecommunications services
12 shall submit emergency contact information to the Oklahoma State
13 Bureau of Investigation to facilitate requests from a law
14 enforcement agency for call location information in accordance with
15 this section. Such contact information shall be submitted annually
16 by July 1st or immediately upon any change in contact information.
17 OSBI shall maintain a database containing emergency contact
18 information required pursuant to this subsection and shall make the
19 information immediately available upon request to any law
20 enforcement agency in this state. OSBI shall promulgate rules to
21 implement the requirements of this section.

22 E. Nothing in this section shall prohibit a wireless
23 telecommunications carrier from establishing protocols by which the
24 carrier could voluntarily disclose call location information to a
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1 law enforcement agency. A wireless telecommunications carrier, its
2 officers, employees or agents shall have no civil or criminal
3 liability for providing call location information while acting in
4 good faith and in accordance with the provisions of this section.

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

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