

1 STATE OF OKLAHOMA

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

3 SENATE BILL 449

By: Dahm

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6 AS INTRODUCED

7 An Act relating to law enforcement communication;  
8 providing certain definition; prohibiting certain  
9 collection of location information; providing for  
10 codification; and declaring an emergency.

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 178.1 of Title 13, unless there  
14 is created a duplication in numbering, reads as follows:

15 As used in this act, an "international mobile subscriber  
16 identity catcher (IMSI-catcher)" or "Stingray" is a mobile device  
17 that captures the signaling information, which may include, but not  
18 be limited to, the phone number and serial number of electronic  
19 communication devices within the vicinity. The IMSI-catcher mimics  
20 a cell site tower in that it reads signaling information broadcast  
21 in public by electronic communication devices turned on in the area.

22 SECTION 2. NEW LAW A new section of law to be codified  
23 in the Oklahoma Statutes as Section 178.2 of Title 13, unless there  
24 is created a duplication in numbering, reads as follows:

1 A. A law enforcement agency is prohibited from using an  
2 international mobile subscriber identity catcher (IMSI-catcher) or  
3 Stingray to obtain an individual's real-time or historical  
4 electronic communication device location information without first  
5 obtaining a search warrant pursuant to Sections 1221 through 1241 of  
6 Title 22 of the Oklahoma Statutes.

7 B. Nothing in this act shall prohibit the Oklahoma Department  
8 of Corrections from using an IMSI-catcher or Stingray.

9 C. Any data collected while using an IMSI-catcher or Stingray,  
10 as a result of a warrant authorizing such usage, that is captured  
11 not as the target of the warrant shall be inadmissible in a court of  
12 law and any applicable data must be destroyed in an unrecoverable  
13 manner within twenty-four (24) hours of capture.

14 SECTION 3. It being immediately necessary for the preservation  
15 of the public peace, health or safety, an emergency is hereby  
16 declared to exist, by reason whereof this resolution shall take  
17 effect and be in full force from and after its passage and approval.

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