

STATE OF OKLAHOMA

1st Session of the 59th Legislature (2023)

SENATE BILL 37

By: Dahm

AS INTRODUCED

An Act relating to law enforcement; defining certain term; prohibiting certain collection of location information; providing for codification; and declaring an emergency.

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

A. As used in this act, an "international mobile subscriber identity-catcher (IMSI-catcher)" is a telephone eavesdropping device that captures mobile phone signaling information, which may include, but not be limited to, the phone number and serial number of electronic communication devices within the vicinity.

B. A law enforcement agency is prohibited from using an international mobile subscriber identity-catcher (IMSI-catcher) to obtain an individual's real-time or historical electronic communication device location information without first obtaining a

1 search warrant pursuant to Sections 1221 through 1241 of Title 22 of
2 the Oklahoma Statutes.

3 C. Nothing in this act shall prohibit the Department of
4 Corrections from using an IMSI-catcher without first obtaining a
5 search warrant pursuant to Sections 1221 through 1241 of Title 22 of
6 the Oklahoma Statutes.

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

12 SECTION 2. It being immediately necessary for the preservation
13 of the public peace, health or safety, an emergency is hereby
14 declared to exist, by reason whereof this resolution shall take
15 effect and be in full force from and after its passage and approval.

16
17 59-1-941 JES 12/14/2022 11:55:05 AM
18
19
20
21
22
23
24
25