

Sixty-second
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1205

Introduced by

Representatives Delmore, R. Kelsch, S. Meyer

Senators Krebsbach, Lyson, Nelson

1 A BILL for an Act to create and enact a new section to chapter 57-40.6 of the North Dakota
2 Century Code, relating to call location information by a wireless service provider to law
3 enforcement.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1.** A new section to chapter 57-40.6 of the North Dakota Century Code is created
6 and enacted as follows:

7 **Provision of call location information by wireless service provider to law**
8 **enforcement.**

- 9 1. Upon request of a law enforcement agency or a public service answering point on
10 behalf of a law enforcement agency, a wireless service provider shall provide call
11 location information concerning the telecommunications device of a user to the
12 requesting law enforcement agency or public service answering point. A law
13 enforcement agency or public service answering point may not request information
14 under this section unless for the purposes of responding to a call for emergency
15 services or in an emergency situation that involves the risk of death or serious physical
16 harm.
- 17 2. A wireless service provider may establish protocols by which the carrier voluntarily
18 discloses call location information.
- 19 3. A claim for relief may not be brought in any court against any wireless service provider
20 or any other person for providing call location information if acting in good faith and
21 under this section.
- 22 4. The bureau of criminal investigation shall obtain contact information from all wireless
23 service providers authorized to do business in this state to facilitate a request from a
24 law enforcement agency or a public safety answering point on behalf of a law

- 1 enforcement agency for call location information under this section. The bureau shall
- 2 disseminate the contact information to each public safety answering point in this state.