

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

