
**Technology & Economic Development
Committee**

HB 1897

Brief Description: Requiring call location information to be provided to law enforcement responding to an emergency.

Sponsors: Representatives McCoy, Ryu and Pollet.

Brief Summary of Bill

- Requires wireless telecommunications providers to provide call location information for the telecommunications device of a user when requested by a law enforcement agency responding to an emergency.

Hearing Date: 2/19/13

Staff: Jennifer Thornton (786-7147).

Background:

On June 2, 2007, 18 year old Kelsey Smith was abducted in broad daylight from a department store in Overland, Kansas. About three hours later her car was found in the mall parking lot. Family and friends began to search for her. On June 6, 2007, Kelsey's body was found. Forensic evidence revealed that she was sexually assaulted and strangled to death. The person accused was sentenced to life in prison without any chance of parole.

An hour after Kelsey was kidnapped, a signal from her cell phone was picked up. When law enforcement officials requested the "ping" records that would pinpoint her location via cell phone, they were not turned over until three and a half days later. Kelsey's body was located 45 minutes after receiving the location information.

Kelsey's parents, Greg and Missey Smith, established a foundation in their daughter's name and are working in a number of states to pass "the Kelsey Smith Act" to provide law enforcement

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

with a way to quickly ascertain the location of a wireless telecommunications device if a person has been determined, by law enforcement, to be at risk of death or serious physical harm due to being kidnapped and/or missing. As of January 16, 2013, the Kelsey Smith Act has been passed by the following states: Kansas, Nebraska, Minnesota, New Hampshire, North Dakota, Tennessee, Hawaii, and Missouri.

Summary of Bill:

"The Kelsey Smith Act" requires wireless telecommunications providers to provide call location information for the telecommunications device of a user when requested by a law enforcement agency responding to an emergency. Law enforcement agencies may not request this information for any other purpose.

No cause of action may be brought in any court against wireless telecommunications providers for providing call location information while acting in good faith and in accordance with this Act.

All wireless telecommunications providers registered to do business in Washington, and all resellers of wireless telecommunications services must submit emergency contact information to the Washington State Patrol (WSP) by September 30, 2013, update the information annually, and submit new information immediately if there is any change. The WSP is required to maintain a database with emergency contact information for all of the wireless telecommunications providers and make the information immediately available upon a request from law enforcement. The WSP may adopt rules as needed to fulfill the requirements of this Act.

Appropriation: None.

Fiscal Note: Requested on February 15, 2013.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.