
SUBSTITUTE HOUSE BILL 1897

State of Washington

63rd Legislature

2013 Regular Session

By House Technology & Economic Development (originally sponsored by Representatives McCoy, Ryu, and Pollet)

READ FIRST TIME 02/05/14.

1 AN ACT Relating to requiring call location information to be
2 provided to law enforcement responding to an emergency; adding a new
3 section to chapter 80.36 RCW; and creating a new section.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 80.36 RCW
6 to read as follows:

7 (1) A wireless telecommunications provider must provide call
8 location information concerning the telecommunications device of a user
9 when requested by a law enforcement agency. The law enforcement agency
10 may only request this information for the purpose of responding to a
11 call for which it has reasonable cause to believe that the individual
12 is endangered and in need of emergency services or in an emergency
13 situation that involves the risk of death or serious physical harm and
14 requires disclosure without a delay of information relating to the
15 emergency. Prior to making a request, the responding law enforcement
16 agency must check the federal bureau of investigation's national crime
17 information center and any other available databases to identify if any
18 family or household member of either the person requesting the call
19 location information or the person for whom the call location

1 information is being requested has any history of domestic violence.
2 Prior to making a request, the responding law enforcement agency must
3 check with the secretary of state's office to identify if any family or
4 household member of either the person requesting the call location
5 information or the person for whom the call location information is
6 being requested is participating in the address confidentiality program
7 established in chapter 40.24 RCW. A law enforcement agency may not
8 request information under this section for any purpose other than
9 responding to a call for emergency services or in an emergency
10 situation that involves the risk of death or serious physical harm.

11 (2) A wireless telecommunications provider may establish protocols
12 by which the carrier voluntarily discloses call location information.

13 (3) No cause of action may be brought in any court against any
14 wireless telecommunications provider, its officers, employees, agents,
15 or other specified persons for providing call location information
16 while acting in good faith and in accordance with the provisions of
17 this section.

18 (4) All wireless telecommunications providers registered to do
19 business in the state of Washington and all resellers of wireless
20 telecommunications services shall submit their emergency contact
21 information to the Washington state patrol in order to facilitate
22 requests from a law enforcement agency for call location information in
23 accordance with this section. Any change in contact information must
24 be submitted immediately.

25 (5) The Washington state patrol must maintain a database containing
26 emergency contact information for all wireless telecommunications
27 providers registered to do business in the state of Washington and must
28 make the information immediately available upon request to facilitate
29 a request from law enforcement for call location information under this
30 section.

31 (6) The Washington state patrol may adopt by rule criteria for
32 fulfilling the requirements of this section.

33 NEW SECTION. **Sec. 2.** This act may be known and cited as the
34 Kelsey Smith act.

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