

MAINE STATE LEGISLATURE

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130th MAINE LEGISLATURE

FIRST SPECIAL SESSION-2021

Legislative Document

No. 1581

S.P. 492

In Senate, April 27, 2021

**An Act To Require Telecommunications Companies To Divulge
Location Information to Law Enforcement When Necessary To
Respond to a 9-1-1 Call or Locate a Person in Danger**

(AFTER DEADLINE)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Reference to the Committee on Energy, Utilities and Technology suggested and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator CYRWAY of Kennebec.
Cosponsored by Representative PICKETT of Dixfield and
Senator: DAVIS of Piscataquis.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 35-A MRSA §9219** is enacted to read:

3 **§9219. Duty to provide location information**

4 **1. Duty to provide location information.** Upon the request of a law enforcement
5 officer, a communications service provider shall provide the law enforcement officer the
6 call location information or the best available location information of a wireless electronic
7 communication device, as defined in Title 17-A, section 506, subsection 2-A, that is:

8 A. Used to place a 9-1-1 call requesting emergency assistance; or

9 B. Reasonably believed to be in the possession of an individual that the law
10 enforcement officer reasonably believes is in an emergency situation that involves the
11 risk of death or serious physical harm to the individual.

12 **2. Immunity.** A communications service provider is immune from any civil or
13 administrative proceeding by a governmental entity against a communications service
14 provider or its directors, officers, employees, agents or vendors for providing information
15 required under subsection 1.

16 **SUMMARY**

17 This bill requires a provider of communications service, including any wireline voice,
18 satellite, data, fixed wireless data or video retail service, to provide upon the request of a
19 law enforcement officer the location data from a wireless device used to place a 9-1-1 call
20 requesting emergency assistance or reasonably believed to be in the possession of an
21 individual in an emergency situation involving risk of death or serious physical harm to the
22 individual. This bill also provides immunity from civil or administrative action by a
23 governmental entity for providing location data required by this bill.