



2020 South Dakota Legislature
House Bill 1129
ENROLLED

AN ACT

ENTITLED An Act to authorize the provision of telecommunications device location information to law enforcement agencies.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. That a NEW SECTION be added:

**34-45-35. Call location information--Provision to law enforcement--
Emergency.**

A law enforcement agency or any public safety answering point on behalf of a law enforcement agency may request, from a wireless telecommunications carrier, information regarding the location of a telecommunications device, if the highest ranking person on duty at the agency authorizes the request based on a determination that:

- (1) The information is necessary to facilitate the provision of emergency services; or
- (2) There exists an emergency situation involving the immediate risk of death or serious physical harm.

Upon receiving a request under this section, a wireless telecommunications carrier shall immediately provide the location to the law enforcement agency, together with any known subscriber information and information regarding the last time the device was used.

Each wireless telecommunications carrier doing business in this state shall provide to the Department of Public Safety a phone number for law enforcement emergency support services. Each carrier shall review the phone number at least twice each year and notify the department of any changes immediately.

The department shall maintain the list of phone numbers and provide the list to every public safety answering point and to the South Dakota state radio system.

A claim for relief may not be brought in any court against any wireless service carrier or any other person who in good faith provides information regarding the location of a telecommunications device in accordance with this section.

An Act to authorize the provision of telecommunications device location information to law enforcement agencies.

I certify that the attached Act originated in the:
House as Bill No. 1129

Chief Clerk

Speaker of the House

Attest:

Chief Clerk

President of the Senate

Attest:

Secretary of the Senate

House Bill No. 1129
File No. _____
Chapter No. _____

Received at this Executive Office
this ____ day of _____,
2020 at _____ M.

By _____
for the Governor

The attached Act is hereby
approved this _____ day of
_____, A.D., 2020

Governor

STATE OF SOUTH DAKOTA,

ss.

Office of the Secretary of State

Filed _____, 2020
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State