

2020 South Dakota Legislature
House Bill 1129

AMENDMENT 1129A FOR THE INTRODUCED BILL

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

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

4 **Section 1.** That a NEW SECTION be added:

5 **34-45-35. Call location information--Provision to law enforcement--**
6 **Emergency.**

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

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

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

19 ~~The department of public safety shall obtain and maintain from each~~ Each wireless
20 telecommunications carrier doing business in this state ~~the contact information necessary~~
21 ~~for a law enforcement agency to institute a request under this section and immediately~~
22 ~~provide the contact information to a law enforcement agency at the agency's request shall~~
23 provide to the department of public safety a phone number for law enforcement
24 emergency support services. Each carrier shall review the phone number at least twice
25 each year and notify the department of any changes immediately.

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

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