



## 2020 South Dakota Legislature

# House Bill 1129

HOUSE STATE AFFAIRS ENGROSSED

Introduced by: **Representative** Hammock

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 location of a telecommunications device, if the highest ranking  
 10 person on duty at the agency authorizes the request based on a determination that:

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

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

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

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

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