SECOND REGULAR SESSION

[TRULY AGREED TO AND FINALLY PASSED]

HOUSE COMMITTEE SUBSTITUTE FOR

HOUSE BILL NO. 1108

96TH GENERAL ASSEMBLY

4200L.02T 2012

AN ACT

To amend chapter 392, RSMo, by adding thereto one new section relating to caller location information.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 392, RSMo, is amended by adding thereto one new section, to be known as section 392.415, to read as follows:

392.415. 1. Upon request, a telecommunications carrier or commercial mobile service provider as identified in 47 U.S.C. Section 332(d)(1) and 47 CFR Parts 22 or 24 shall provide call location information concerning the user of a telecommunications service or a wireless communications service, in an emergency situation to a law enforcement official or agency in order to respond to a call for emergency service by a subscriber, customer, or user of such service, or to provide caller location information (or do a ping locate) in an emergency situation that involves danger of death or serious physical injury to any person where disclosure of communications relating to the emergency is required without delay.

2. No cause of action shall lie in any court of law against any telecommunications carrier or telecommunications service or commercial mobile service provider, or against any telecommunications service or wireless communications service, or its officers, employees, agents, or other specified persons, for providing any information, facilities, or assistance to a law enforcement official or agency in accordance with the terms of this section. Notwithstanding any other provision of law, nothing in this section prohibits a telecommunications carrier or commercial mobile service provider from establishing

EXPLANATION — Matter enclosed in bold-faced brackets **[**thus**]** in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

protocols by which such carrier or provider could voluntarily disclose call location information.

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