

HOUSE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Colleen M. Garry

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to call location information aka the Kelsey Smith Act.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Colleen M. Garry</i>	<i>36th Middlesex</i>	<i>1/22/2016</i>
<i>James J. Dwyer</i>	<i>30th Middlesex</i>	<i>7/11/2019</i>
<i>Timothy R. Whelan</i>	<i>1st Barnstable</i>	<i>1/26/2016</i>
<i>Linda Dean Campbell</i>	<i>15th Essex</i>	<i>1/26/2016</i>
<i>Keiko M. Orrall</i>	<i>12th Bristol</i>	<i>7/11/2019</i>
<i>Chris Walsh</i>	<i>6th Middlesex</i>	<i>7/11/2019</i>
<i>Joseph W. McGonagle, Jr.</i>	<i>28th Middlesex</i>	<i>7/11/2019</i>
<i>Alan Silvia</i>	<i>7th Bristol</i>	<i>7/11/2019</i>

HOUSE No.

By Miss Garry of Dracut, a petition (subject to Joint Rule 12) of Colleen M. Garry and others relative to authorizing telephone companies or wireless carriers to provide call location information of telecommunication devices to requesting law enforcement agencies. Telecommunications, Utilities and Energy.

The Commonwealth of Massachusetts

**In the One Hundred and Eighty-Ninth General Court
(2015-2016)**

An Act relative to call location information aka the Kelsey Smith Act.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Section 14A of chapter 166 of the General Laws, as appearing in the 2014 Official
2 Edition, is hereby amended by striking out subsection (d) and inserting in place thereof the
3 following subsection:-

4 (d) Upon request of a law enforcement agency or a public safety answering point, as
5 defined in section 18A of chapter 6A, on behalf of a law enforcement agency, a telephone
6 company or wireless carrier, as defined in said section 18A, shall provide call location
7 information concerning the telecommunications device of a user to the requesting law
8 enforcement agency or public safety answering point. A law enforcement agency or public safety
9 answering point may not request information under this subsection unless for the purposes of
10 responding to a call for emergency services or in an emergency situation that involves the risk of
11 death or serious physical harm. A telephone company or wireless carrier may establish protocols
12 by which the company or carrier voluntarily discloses call location information. A claim for

13 relief may not be brought in any court against any telephone company or wireless carrier or any
14 other person for providing call location information if acting in good faith and under this section.
15 The state 911 department shall obtain contact information from all telephone companies and
16 wireless carriers authorized to do business in this state to facilitate a request from a law
17 enforcement agency or a public safety answering point on behalf of a law enforcement agency
18 for call location information under this section. The state 911 department shall disseminate the
19 contact information to each public safety answering point in the commonwealth.