

HOUSE No. 1580

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 locating missing persons via mobile data (Kelsey's Bill).

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Colleen M. Garry</i>	<i>36th Middlesex</i>	<i>1/13/2021</i>
<i>Timothy R. Whelan</i>	<i>1st Barnstable</i>	<i>2/15/2021</i>
<i>Carmine Lawrence Gentile</i>	<i>13th Middlesex</i>	<i>2/16/2021</i>
<i>Steven G. Xiarhos</i>	<i>5th Barnstable</i>	<i>2/16/2021</i>
<i>Jessica Ann Giannino</i>	<i>16th Suffolk</i>	<i>2/16/2021</i>
<i>Bradley H. Jones, Jr.</i>	<i>20th Middlesex</i>	<i>2/18/2021</i>
<i>Michael O. Moore</i>	<i>Second Worcester</i>	<i>2/23/2021</i>
<i>David Allen Robertson</i>	<i>19th Middlesex</i>	<i>2/25/2021</i>

HOUSE No. 1580

By Miss Garry of Dracut, a petition (accompanied by bill, House, No. 1580) of Colleen M. Garry and others relative to requiring mobile phone providers to disclose to law enforcement officials the location of missing persons. The Judiciary.

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Second General Court
(2021-2022)

An Act relative to locating missing persons via mobile data (Kelsey's Bill).

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 1. Chapter 6A of the General Laws is hereby amended by inserting at the end
2 thereof the following new section:—

3 Section 18M.

4 (a) As used in this section the term “Executive office” shall mean the executive office of
5 public safety and security.

6 (b) Upon request of a law enforcement agency, a wireless telecommunications carrier or
7 in-vehicle security and communications service provider, shall immediately provide location
8 information concerning the telecommunications devices of the user to the requesting law
9 enforcement agency (i) in order to respond to a call for emergency services initiated from the
10 telecommunications devices of the user, (ii) to assist in a missing person investigation, or (iii) in
11 an emergency situation that involves the risk of death or serious physical harm. Nothing in this

12 section shall prohibit a wireless telecommunications carrier from establishing protocols by which
13 the carrier could voluntarily disclose location information.

14 (c) (1) All wireless carriers and in-vehicle security and communications service providers
15 shall submit their emergency contact information to the executive office in order to facilitate
16 requests from a public safety department for location information in accordance with subsection
17 (b). Such contact information shall be submitted annually by June 15th or immediately upon any
18 change in contact information.

19 (d) No cause of action shall lie in any court against any wireless telecommunications
20 carrier or in-vehicle security and communications service provider, its officers, employees,
21 agents or other specified persons for providing call location information while acting in good
22 faith and in accordance with the provisions of this section.

23 (e) The executive office shall maintain a database containing emergency contact
24 information for all wireless telecommunications carriers and in-vehicle security and
25 communications service providers and shall make the information immediately available upon
26 request to all public safety answer points in the state. The executive office shall promulgate
27 regulations for administration and enforcement of this section; provided further, that such
28 regulations shall be promulgated no later than December 31, 2021.