HOUSE DOCKET, NO. 2214 FILED ON: 1/17/2013

HOUSE . . . . . No. 2177

The Commonwealth of Massachusetts

PRESENTED BY:

Shaunna O'Connell

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 passage of the accompanying:

An Act relative to locating missing persons via mobile data.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Shaunna O'Connell	*3rd Bristol*
Kimberly N. Ferguson	*1st Worcester*
Colleen M. Garry	*36th Middlesex*
Randy Hunt	*5th Barnstable*
Robert M. Koczera	*11th Bristol*
Todd M. Smola	*1st Hampden*
Bruce E. Tarr	*First Essex and Middlesex*

HOUSE DOCKET, NO. 2214 FILED ON: 1/17/2013

HOUSE . . . . . No. 2177

By Mrs. O'Connell of Taunton, a petition (accompanied by bill, House, No. 2177) of Shaunna O'Connell and others for legislation to require mobile data wireless carriers and in-vehicle security and communications providers to provide locator information to law enforcement agencies. Public Safety and Homeland Security.

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

An Act relative to locating missing persons via mobile data.

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

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

Section 18M.

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

(b) Upon request of a law enforcement agency, a wireless telecommunications carrier or in-vehicle security and communications service provider, shall immediately provide location information concerning the telecommunications devices of the user to the requesting law enforcement agency (i) in order to respond to a call for emergency services initiated from the telecommunications devices of the user, (ii) to assist in a missing person investigation, or (iii) in `an emergency situation that involves the risk of death or serious physical harm. Nothing in this section shall prohibit a wireless telecommunications carrier from establishing protocols by which the carrier could voluntarily disclose location information.

(c) (1) All wireless carriers and in-vehicle security and communications service providers shall submit their emergency contact information to the executive office in order to facilitate requests from a public safety department for location information in accordance with subsection (b). Such contact information shall be submitted annually by June 15th or immediately upon any 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, 2013.