

NOTE: This version of the bill, signed by the Governor on April 17th, 2009 contains errors affecting the content of the bill. The language in this version does not accurately reflect the final decision of the Legislature. Corrected language is included in 2009 SB 336 passed during the Veto Session.

SENATE Substitute for HOUSE BILL No. 2126

AN ACT concerning telecommunications; relating to providing caller location in emergency situations.

Be it enacted by the Legislature of the State of Kansas:

Section 1. (a) Upon request of a law enforcement agency, a wireless telecommunications carrier shall provide call location information concerning the telecommunications device of the user to the requesting law enforcement agency in order to respond to a call for emergency services or in an emergency situation that involves the risk of death or serious physical harm.

(b) Notwithstanding any other provision of law to the contrary, nothing in this section prohibits a wireless telecommunications carrier from establishing protocols by which the carrier could voluntarily disclose call location information.

(c) No cause of action shall lie in any court against any wireless telecommunications carrier, its officers, employees, agents or other specified persons for providing call location information while acting in good faith and in accordance with the provisions of this section.

(d) The Kansas bureau of investigation shall obtain contact information for all wireless telecommunications carriers authorized to do business in the state of Kansas or submitting to the jurisdiction thereof in order to facilitate a request from a law enforcement agency for call location information in accordance with this section.

Sec. 2. This act shall take effect and be in force from and after its publication in the Kansas register.