

ARKANSAS SENATE
92nd General Assembly - Regular Session, 2019
Amendment Form

Subtitle of Senate Bill No. 204

CONCERNING INTERNET PROTOCOL ADDRESS GEOLOCATION INFORMATION IN AN EMERGENCY
SITUATION.

Amendment No. 1 to Senate Bill 204

Amend Senate Bill No. 204 as originally introduced:

Page 2, delete lines 5 through 7, and substitute the following:

~~"(3)(5)~~ "Law enforcement agency" means the Department of Arkansas State Police, the Attorney General's office, a prosecuting attorney's office, a county sheriff's department, ~~or~~ a municipal police department, or a state agency with a law enforcement division;"

AND

Page 2, delete lines 14 through 36, and substitute the following:

"12-12-1902. Commercial mobile radio service or internet service provider to provide information upon request.

(a) Upon request of a law enforcement agency, a commercial mobile radio service provider shall provide location information of a wireless telecommunications device and an internet service provider shall provide geolocation information of an internet protocol (IP) address to the law enforcement agency, in the most expeditious manner reasonably available to the internet service provider, in order ~~to~~ that the law enforcement agency may respond to a call for emergency services or ~~in~~ to an emergency situation that involves the risk of death or serious physical harm.

(b) This section does not prohibit a commercial mobile radio service provider or an internet service provider from establishing protocols by which the commercial mobile radio service provider or the internet service provider may voluntarily disclose location information or geolocation information.

(c) Within five (5) days of providing location information or geolocation information to a requesting law enforcement agency, a commercial mobile radio service provider or an internet service provider that supplied the law enforcement agency with location information or geolocation information under this subchapter may request, and the law enforcement agency shall provide, the court order, subpoena, or search warrant, as applicable, outlining the request made and the actions taken by the law enforcement



agency.

12-12-1903. Limitation of liability.

Notwithstanding any other provision of law, a commercial mobile radio service provider or an internet service provider, or ~~its~~ the officers, employees, assigns, or agents of a commercial mobile radio service provider or an internet service provider are not liable for civil damages or criminal liability in connection with the development, design, installation, operation, maintenance, performance, release, or provision of location information or geolocation information or for any failure to timely process or release any request for location information or geolocation information as may be necessary under this subchapter."

AND

Page 3, delete line 1

The Amendment was read the first time, rules suspended and read the second time and _____

By: Senator J. Sturch

BPG/BPG - 02-26-2019 10:17:56

BPG317

Secretary