

1 State of Arkansas
2 92nd General Assembly
3 Regular Session, 2019
4

A Bill

SENATE BILL 204

5 By: Senator J. Sturch
6 By: Representative Petty
7

For An Act To Be Entitled

9 AN ACT CONCERNING INTERNET PROTOCOL ADDRESS
10 GEOLOCATION INFORMATION IN AN EMERGENCY SITUATION;
11 AND FOR OTHER PURPOSES.
12
13

Subtitle

15 CONCERNING INTERNET PROTOCOL ADDRESS
16 GEOLOCATION INFORMATION IN AN EMERGENCY
17 SITUATION.
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. Arkansas Code Title 12, Chapter 12, Subchapter 19, is
23 amended to read as follows:

24 Subchapter 19 – Location Information of a Wireless Telecommunications Device
25 and Geolocation of Internet Protocol Address in an Emergency Situation
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27 12-12-1901. Definitions.

28 As used in this subchapter:

29 (1) "Commercial mobile radio service" means a commercial mobile
30 service under 47 U.S.C. § 151 et seq., Federal Communications Commission
31 rules, and the Omnibus Budget Reconciliation Act of 1993, Pub. L. No. 103-66;

32 (2) "Contact information" means the name of a person or a
33 compilation of names of persons who can immediately respond to and facilitate
34 a request for location information from a public safety agency at any time;

35 (3) "Geolocation" means the identification or estimation of a
36 geographic location of an internet-enabled device connected to a computer



1 network;

2 (4) "Internet protocol (IP) address" means a numerical label
3 assigned to each device connected to a computer network that uses internet
4 protocol for communication;

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

8 ~~(4)~~(6) "Location information" means cell site or other
9 geographic location estimate information in possession of a commercial mobile
10 radio service provider; and

11 ~~(5)~~(7) "Public safety agency" means an agency that provides ~~fire~~
12 ~~fighting~~ firefighting, law enforcement, medical, or other emergency services.

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14 12-12-1902. Commercial mobile radio service or internet service
15 provider to provide information upon request.

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

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

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28 12-12-1903. Limitation of liability.

29 Notwithstanding any other provision of law, a commercial mobile radio
30 service provider or an internet service provider, or ~~its~~ the officers,
31 employees, assigns, or agents of a commercial mobile radio service provider
32 or internet service provider are not liable for civil damages or criminal
33 liability in connection with the development, design, installation,
34 operation, maintenance, performance, release, or provision of location
35 information or geolocation information or for any failure to timely process
36 or release any request for location information or geolocation information as

1 may be necessary under this subchapter.

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3 12-12-1904. Providers to submit contact information to Arkansas Crime
4 Information Center.

5 A commercial mobile radio service provider or internet service provider
6 either authorized to do business in the state or that has submitted to the
7 jurisdiction of the state shall immediately submit all contact information to
8 the Arkansas Crime Information Center and shall immediately update the
9 contact information as changes occur.

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11 12-12-1905. Additional duties of Arkansas Crime Information Center.

12 The Arkansas Crime Information Center shall make available the contact
13 information obtained under § 12-12-1904 on at least a quarterly basis or
14 immediately as changes occur to each public safety agency in the state.

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16 12-12-1906. Prohibition against abuse.

17 (a) A commercial mobile radio service provider or internet service
18 provider that believes their requirements under this subchapter are being
19 abused by a law enforcement agency or a specific law enforcement officer may
20 report the suspected abuse to the Department of Arkansas State Police for
21 further investigation.

22 (b) If the law enforcement agency that the commercial mobile radio
23 service provider or internet service provider believes is abusing the
24 requirements of this subchapter is the Department of Arkansas State Police,
25 the commercial mobile radio service provider or internet service provider may
26 report the suspected abuse to the Attorney General.

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