

Proposed law provides that the office of state police may adopt rules in accordance with the Administrative Procedure Act to implement the provisions of proposed law.

Proposed law provides that notwithstanding any other provision of law to the contrary, a provider of commercial mobile services may establish protocols by which the provider voluntarily discloses device location information.

Proposed law provides that no person may file a false report to a law enforcement agency for the purpose of device location being requested from a provider of commercial mobile service and provides a penalty for violating proposed law of not more than \$500, or imprisonment of not more than six months, or both.

Proposed law provides that no person shall have a cause of action against any provider of commercial mobile services, its officers, employees, agents, or other specified persons for providing device location information while acting in good faith and in accordance with the provisions of proposed law. Also provides that proposed law shall not apply to damage or injury caused by gross negligence or willful and wanton misconduct.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Adds R.S. 45:844.9 and 844.10)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Commerce, Consumer Protection, and International Affairs to the original bill

1. Replaces the term "wireless telecommunications device" with "commercial mobile service device"
2. Deletes the requirement that a provider respond immediately to a request made by law enforcement agencies.
3. Changes the written request of a law enforcement agency to include an electronic or other written request.
4. Provides that a release of requested information be made in a manner respectful to a person's right of privacy.

Senate Floor Amendments to engrossed bill

1. Changes authority provision for requests by a law enforcement agency of device location.

2. Adds requirement that provider shall disclose the device location to a request made by law enforcement agencies.
3. Adds certain database search requirement for law enforcement agencies making the request.
4. Restricts use of location information to official purposes and prohibits the information obtained in the request from being released to certain persons.
5. Adds violation for filing a false report and provides penalties.