

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 824 Session of 2013

INTRODUCED BY V. BROWN, CALTAGIRONE, MICOZZIE, SCHLOSSBERG,
McGEEHAN, KIRKLAND, PASHINSKI, DAVIDSON, TOEPEL, WHITE,
MILLARD, BROWNLEE, COHEN, KORTZ, FABRIZIO, CLYMER, SWANGER,
BOBACK, BISHOP, BIZZARRO, P. DALEY AND MURT,
FEBRUARY 25, 2013

REFERRED TO COMMITTEE ON VETERANS AFFAIRS AND EMERGENCY
PREPAREDNESS, FEBRUARY 25, 2013

AN ACT

1 Amending Title 35 (Health and Safety) of the Pennsylvania
2 Consolidated Statutes, in miscellaneous provisions relating
3 to emergency management services, providing for disclosure of
4 caller location in emergencies and for good faith immunity
5 under certain circumstances.

6 The General Assembly of the Commonwealth of Pennsylvania
7 hereby enacts as follows:

8 Section 1. Title 35 of the Pennsylvania Consolidated
9 Statutes is amended by adding a section to read:

10 § 7714. Disclosure of caller location in emergencies.

11 (a) Duty of wireless provider.--Upon request of a law
12 enforcement agency, a wireless provider shall provide call
13 location information concerning the wireless device of the user
14 in order for the requesting law enforcement agency to respond to
15 a call for emergency services or an emergency that involves the
16 risk of death or serious physical harm. The wireless provider
17 shall provide the most accurate call location available, given

1 the technical and other limitations that may impact the accuracy
2 of the call location information in the relevant area.

3 (b) Duty of Pennsylvania Emergency Management Agency.--The
4 agency shall obtain contact information for all wireless
5 providers authorized to do business in this Commonwealth in
6 order to facilitate a request from a law enforcement agency for
7 call location information in accordance with this section.

8 (c) Duty of public safety answering point.--When requested
9 by a law enforcement agency, the public safety answering point
10 as defined in section 5302 (relating to definitions) shall
11 assist the agency to obtain call location information from
12 wireless providers. Such assistance shall be provided only upon
13 the requesting agency's providing information establishing that
14 the call location information is necessary to assist the agency
15 in responding to an emergency that involves the risk of death or
16 serious bodily injury.

17 (d) Good faith immunity.--No cause of action shall lie in
18 any court against any wireless provider, its officers,
19 employees, agents or other specified persons for providing call
20 location information while acting in good faith and in
21 accordance with the provisions of this section. A wireless
22 provider shall not be obligated to make an affirmative
23 determination that the requesting law enforcement agency or
24 public safety answering point as defined in section 5302 has met
25 the threshold requirements of subsection (a).

26 (e) Rules.--The agency shall adopt rules relative to the
27 notice and disclosure requirements provided in this section.

28 Section 2. This act shall take effect in 60 days.