



One Hundred First Legislature - Second Session - 2010
Introducer's Statement of Intent
LB 735

Chairperson: Deb Fischer
Committee: Transportation and Telecommunications
Date of Hearing: February 1, 2010

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

LB 735 allows for the adoption of the Kelsey Smith Act, which provides that a wireless carrier must provide the best available call location information of a wireless communication device upon the request of any law enforcement agency following a request for emergency services or in an emergency situation that involves the risk or threat of death or serious physical harm. Currently, wireless carriers may voluntarily provide call location information, but are not required by state law to do so. Without such a requirement, privacy or liability concerns may hinder a wireless carrier from timely providing the call location information in emergency situations.

Under the bill, no cause of action will lie against a wireless carrier and its officers, employees, and agents for providing call location information while acting in good faith under the Act. Wireless carriers are held harmless from any and all claims, damages, costs, expenses, and attorney's fees arising from the release of the call location information.

Finally, the bill provides that the wireless carriers will provide the company's contact information to the State Patrol on a semiannual basis or after changes to contact information are made and then the State Patrol will provide that information to other law enforcement agencies within the state.

Principal Introducer: _____
Senator Tim Gay