

LEGISLATURE OF NEBRASKA
ONE HUNDRED FOURTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 738

Introduced by Ebke, 32; Morfeld, 46; Watermeier, 1.

Read first time January 06, 2016

Committee: Judiciary

- 1 A BILL FOR AN ACT relating to law enforcement; to prohibit the use of
- 2 cell-site simulator technology or devices by law enforcement
- 3 agencies as prescribed.
- 4 Be it enacted by the people of the State of Nebraska,

1 Section 1. (1) No law enforcement agency shall purchase or use
2 cell-site simulator technology or devices. Any law enforcement agency
3 that currently possesses or uses cell-site simulator technology or
4 devices shall discontinue such use and discard the technology or devices.

5 (2) For purposes of this section, cell-site simulator means
6 technology or devices that transmit or receive radio waves for the
7 purpose of conducting one or more of the following operations:

8 (a) Identifying, locating, or tracking the movements of a
9 communications device;

10 (b) Intercepting, obtaining, accessing, or forwarding the
11 communications, stored data, or metadata of a communications device;

12 (c) Affecting the hardware or software operations or functions of a
13 communications device;

14 (d) Forcing transmissions from or connections to a communications
15 device;

16 (e) Denying a communications device access to other communications
17 devices, communications protocols, or services; or

18 (f) Spoofing or simulating a communications device, cell tower, cell
19 site, or service, including, but not limited to, an international mobile
20 subscriber identity catcher or other invasive cell phone or telephone
21 surveillance or eavesdropping device that mimics a cell phone tower and
22 sends out signals to cause cell phones in the area to transmit their
23 locations, identifying information, and communication content, or a
24 passive interception device or digital analyzer that does not send
25 signals to a communications device under surveillance.