**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 23‑3‑340 SO AS TO PROVIDE THAT UPON REQUEST OF A LAW ENFORCEMENT AGENCY, A WIRELESS TELECOMMUNICATIONS CARRIER SHALL PROVIDE CALL LOCATION INFORMATION CONCERNING THE TELECOMMUNICATIONS DEVICE OF THE USER TO THE LAW ENFORCEMENT AGENCY IN ORDER TO RESPOND TO A CALL FOR EMERGENCY SERVICES OR IN AN EMERGENCY SITUATION THAT INVOLVES THE RISK OF DEATH OR SERIOUS PHYSICAL HARM, TO PROVIDE A CIVIL OR CRIMINAL ACTION MAY NOT BE BROUGHT AGAINST A WIRELESS SERVICE PROVIDER UNDER THIS SECTION UNDER CERTAIN CIRCUMSTANCES, AND PROVIDE SLED SHALL OBTAIN CONTACT INFORMATION FROM WIRELESS SERVICE PROVIDERS TO FACILITATE A REQUEST FROM A LAW ENFORCEMENT AGENCY.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Article 5, Chapter 3, Title 23 of the 1976 Code is amended by adding:

“Section 23‑3‑340. (A) Upon request of a law enforcement agency, acting in the course of its official duties at the time of the request, a wireless service provider shall provide call location information concerning the telecommunications device of a user to the requesting law enforcement agency within a reasonable period of time after receipt of the request. A law enforcement agency may not request information under this section unless for the purposes of responding to a call for emergency services at the time of the request or in an emergency situation that involves the risk of death or serious physical harm.

(B) A wireless service provider may establish protocols by which the carrier voluntarily discloses call location information.

(C) A civil or criminal action may not be brought in a court against a wireless service provider or another person for providing call location information if acting in good faith and under this section.

(D) The State Law Enforcement Division (SLED) shall obtain contact information from all wireless service providers authorized to do business in this State to facilitate a request from a law enforcement agency for call location information under this section. SLED shall disseminate the contact information to each law enforcement agency in this State.”

SECTION 2. This act takes effect upon approval by the Governor.

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