

CHAPTER 100
HOUSE BILL No. 2652

AN ACT concerning the Kelsey Smith act; amending K.S.A. 2009 Supp. 22-4615 and repealing the existing section.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 2009 Supp. 22-4615 is hereby amended to read as follows: 22-4615. (a) 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 requesting 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.

(b) Notwithstanding any other provision of law to the contrary, nothing in this section prohibits a wireless telecommunications carrier from establishing protocols by which the carrier could voluntarily disclose call location information.

(c) No cause of action shall lie in any court against any wireless telecommunications carrier, its officers, employees, agents or other specified persons for providing call location information while acting in good faith and in accordance with the provisions of this section.

(d) (1) ~~The Kansas bureau of investigation shall obtain contact information for~~ All wireless telecommunications carriers ~~authorized~~ *registered* to do business in the state of Kansas or submitting to the jurisdiction thereof ~~and all resellers of wireless telecommunications services shall submit their emergency contact information to the Kansas bureau of investigation~~ in order to facilitate ~~a request~~ *requests* from a law enforcement agency for call location information in accordance with this section. ~~This contact information must be submitted annually by June 15th or immediately upon any change in contact information.~~

(2) The Kansas bureau of investigation shall ~~disseminate the information obtained pursuant to subsection (d)(1) on a quarterly basis or immediately as changes occur,~~ *maintain a database containing emergency contact information for all wireless telecommunications carriers registered to do business in the state of Kansas and shall make the information immediately available upon request* to all public safety answer points in the state.

(e) Rules and regulations shall be promulgated by the director of the Kansas bureau of investigation to fulfill the requirements of this section no later than July 1, ~~2010~~ *2011*.

(f) This section shall be known and may be cited as the Kelsey Smith act.

Sec. 2. K.S.A. 2009 Supp. 22-4615 is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the Kansas register.

Approved April 12, 2010.

Published in the *Kansas Register* April 22, 2010.
