

SB0517/763925/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 517
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “– **Exigent Circumstances**”; in line 5, strike “an electronic device” and substitute “certain electronic devices”; and in line 9, after “circumstances;” insert “prohibiting a law enforcement officer from requesting certain information from a certain service provider under certain circumstances; requiring a certain law enforcement agency or public safety answering point to report certain information to the Governor’s Office of Crime Prevention, Youth, and Victim Services annually under certain circumstances;”.

AMENDMENT NO. 2

On page 2, after line 30, insert:

“(B) THIS SECTION APPLIES ONLY TO A REQUEST FOR LOCATION INFORMATION OF AN ELECTRONIC DEVICE IF THE OWNER OR USER OF THE ELECTRONIC DEVICE HAS BEEN REPORTED MISSING.”

On page 3, in lines 1, 5, 8, and 10, strike “**(B)**”, “**(C)**”, “**(D)**”, and “**(E)**”, respectively, and substitute “**(C)**”, “**(D)**”, “**(E)**”, and “**(F)**”, respectively.

AMENDMENT NO. 3

On page 2, strike in their entirety lines 23 and 24; and in lines 25, 27, and 29, strike “**(4)**”, “**(5)**”, and “**(6)**”, respectively, and substitute “**(3)**”, “**(4)**”, and “**(5)**”, respectively.

On page 3, in line 4, strike “**IN EXIGENT CIRCUMSTANCES**”.

AMENDMENT NO. 4

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On page 3, after line 17, insert:

“(G) (1) A LAW ENFORCEMENT OFFICER MAY NOT REQUEST INFORMATION FROM A SERVICE PROVIDER UNDER THIS SECTION IF THE LAW ENFORCEMENT OFFICER KNOWS THE OWNER OR USER OF THE ELECTRONIC DEVICE HAS NOT BEEN REPORTED MISSING.

(2) A LAW ENFORCEMENT OFFICER WHO VIOLATES THIS SUBSECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 6 MONTHS OR A FINE NOT EXCEEDING \$500 OR BOTH.

(H) IF A LAW ENFORCEMENT AGENCY OR PUBLIC SAFETY ANSWERING POINT OBTAINS THE LOCATION INFORMATION OF AN ELECTRONIC DEVICE UNDER THIS SECTION, THE LAW ENFORCEMENT AGENCY OR PUBLIC SAFETY ANSWERING POINT SHALL NOTIFY THE OWNER OR USER OF THE ELECTRONIC DEVICE THAT THEIR LOCATION INFORMATION WAS OBTAINED AS SOON AS PRACTICABLE.

(I) ON OR BEFORE MARCH 1 EACH YEAR, A LAW ENFORCEMENT AGENCY OR PUBLIC SAFETY ANSWERING POINT THAT HAS MADE A REQUEST TO A SERVICE PROVIDER IN THE PRECEDING CALENDAR YEAR UNDER THIS SECTION SHALL REPORT TO THE GOVERNOR’S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES ON THE TOTAL NUMBER OF REQUESTS THAT THE LAW ENFORCEMENT AGENCY MADE IN THE PRECEDING CALENDAR YEAR.”.