

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025

H.B. 211
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HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH40139-ML-56A

Short Title: The Kelsey Smith Act.

(Public)

Sponsors: Representative Ward.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO AUTHORIZE THE PROVISION OF CALL LOCATION INFORMATION TO
3 LAW ENFORCEMENT UNDER CERTAIN EMERGENCY CIRCUMSTANCES.

4 The General Assembly of North Carolina enacts:

5 SECTION 1. This act shall be known as "The Kelsey Smith Act."

6 SECTION 2. Chapter 15A of the General Statutes is amended by adding a new
7 Article to read:

8 "Article 16C.

9 "Provision of Wireless Call Location Information to Law Enforcement.

10 **"§ 15A-300.10. Provision of phone location information of a telecommunications device by**
11 **wireless telecommunications carrier to law enforcement.**

12 (a) For purposes of this section, the term (i) "wireless telecommunications carrier" has
13 the same meaning as a "commercial mobile radio service provider," as that term is defined in
14 G.S. 143B-1400, and (ii) "public safety answering point" is as defined in G.S. 143B-1400.

15 (b) At the request of a law enforcement officer, or an employee or agent of a public safety
16 answering point on behalf of a law enforcement agency, who is acting in the course of the official
17 duties of the officer, employee, or agent, a wireless telecommunications carrier shall provide,
18 subject to any limitations under applicable federal law, available phone location information of
19 a telecommunications device without delay if the officer, employee, or agent asserts either of the
20 following:

21 (1) The device that is the subject of the request was used to place a 911 call
22 requesting emergency assistance.

23 (2) There is reasonable suspicion that the device that is the subject of the request
24 is in the possession of an individual who is involved in an emergency situation
25 that involves risk of death or serious physical harm.

26 (c) Notwithstanding any other provision of law to the contrary, nothing in this section
27 prohibits a wireless telecommunications carrier from establishing protocols by which the carrier
28 voluntarily discloses phone location information of a telecommunications device.

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

33 (e) All wireless telecommunications carriers registered to do business in this State or
34 submitting to the jurisdiction thereof and all resellers of wireless telecommunications services
35 shall submit their emergency contact information to the State Bureau of Investigation in order to
36 facilitate requests from a law enforcement agency for call location information in accordance



1 with this section. This contact information shall be submitted annually by June 15 or immediately
2 upon any change in contact information. The State Bureau of Investigation shall maintain a
3 database containing emergency contact information for all wireless telecommunications carriers
4 registered to do business in this State and shall make the information immediately available upon
5 request to all public safety answering points in this State."

6 **SECTION 3.** The State Bureau of Investigation shall adopt temporary rules to
7 implement the provisions of this act. Temporary rules adopted in accordance with this act shall
8 remain in effect until permanent rules that replace the temporary rules become effective.

9 **SECTION 4.** This act becomes effective July 1, 2025.