

Duplicates/Relates to Appropriation in the General Appropriation Act

SECTION III: NARRATIVE

BILL SUMMARY

Amends the Enhanced 911 Act to require internet and wireless service providers to provide location information to a law enforcement agency for a device used to send a 911 emergency communication. The disclosure is to be made upon request and only for the purpose of responding to a 911 communication or emergency situation that involves the risk of death or serious physical harm.

FISCAL IMPLICATIONS

No fiscal impact to DPS. **SIGNIFICANT ISSUES**

No significant issues to DPS.

PERFORMANCE IMPLICATIONS

The bill will enhance the response of first responders to the scene of a critical incident involving the risk of death or serious physical harm by providing the current location data for any device used directly to the public safety answering point without the need of obtaining a warrant and allowing for faster response times.

No performance implications to DPS.

ADMINISTRATIVE IMPLICATIONS

If passed, DPS would need to maintain a current, updated list of service providers for dissemination to other public safety answering points.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

This bill may have a direct effect on NMSA 1978 10-16f-1 to 10-16F-4 the "Electronic Communications Privacy Act." This Act limits the authority of a law enforcement agency to compel a "service provider" to provide "the production of or access to electronic communication information from a service provider; compel the production of or access to electronic device information from a person other than the device's authorized possessor; or access electronic device information by means of physical or electronic communication with the electronic device.

TECHNICAL ISSUES

No technical issues to DPS.

OTHER SUBSTANTIVE ISSUES

No other substantive issues to DPS.

ALTERNATIVES

Not applicable as no impact to DPS.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Not enacting this bill may cause the delayed response of first responders to incidents involving the risk of death or serious physical harm, due to the lack of immediate location services.

AMENDMENTS

None at this time.