

HOUSE RESEARCH

Bill Summary

FILE NUMBER: H.F. 2288
Version: First engrossment

DATE: March 12, 2014

Authors: Atkins

Subject: Electronic device location information

Analyst: Jeff Diebel

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Overview

This bill requires law enforcement to secure a search warrant before collecting electronic device location information from individuals. The bill establishes several exceptions to the search warrant requirement and requires that notice be provided to individuals who have their location information collected.

Section

- 1 Records concerning electronic communication service or remote computing service.**
Creates a cross-reference to section 2 that makes it clear that electronic device location information is treated differently under statute than other records maintained by electronic communication services or remote computing services.
- 2 Electronic device location information.**
 - Subd. 1. Definitions.** Defines the following terms: “adverse result,” “electronic device,” “electronic communication service,” “government entity,” “location information,” “location information service,” and “remote computing service.”
 - Subd. 2. Search warrant required for location information.** Requires a government entity to secure a search warrant prior to collecting electronic device location information. Creates exceptions to the search warrant requirement in cases where there is consent, an emergency, a stolen device, or a missing person.
 - Subd. 3. Time period and extensions.** Establishes a 60-day maximum effective date for search warrants issued under this section that seek to collect location information contemporaneously. Allows for extensions of warrants for up to 60 days

Section

Subd. 4. Notice. Requires government entities to provide notice to individuals who have their location information collected. Allows for delayed notice in certain exceptional circumstances.

Subd. 5. Reporting. Requires electronic communication services to report to the Commissioner of Public Safety on the requests for location information the services receive from government entities for persons located in the state or residents of the state. The Commissioner must make the reports publicly available.