

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025

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HOUSE BILL 211

Short Title: The Kelsey Smith Act. (Public)

Sponsors: Representatives Ward, Wheatley, Echevarria, and Moss (Primary Sponsors).

For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Emergency Management and Disaster Recovery, if favorable, Judiciary 2, if favorable, Rules, Calendar, and Operations of the House

February 27, 2025

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

The General Assembly of North Carolina enacts:

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

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

"Article 16C.

"Provision of Wireless Call Location Information to Law Enforcement.

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

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

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

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

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

(c) 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
voluntarily discloses phone location information of a telecommunications device.

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

(e) All wireless telecommunications carriers registered to do business in this State or
submitting to the jurisdiction thereof and all resellers of wireless telecommunications services



1 shall submit their emergency contact information to the State Bureau of Investigation in order to
2 facilitate requests from a law enforcement agency for call location information in accordance
3 with this section. This contact information shall be submitted annually by June 15 or immediately
4 upon any change in contact information. The State Bureau of Investigation shall maintain a
5 database containing emergency contact information for all wireless telecommunications carriers
6 registered to do business in this State and shall make the information immediately available upon
7 request to all public safety answering points in this State."

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

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