
Wisconsin Legislative Council

AMENDMENT MEMO



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2023 Senate Bill 890

Senate Amendment 1

2023 SENATE BILL 890

Under current law, a provider of a wireless communications service may provide law enforcement with information regarding the location of a wireless communication device if the provider is served with a warrant for the information, if the customer or subscriber to the service consents, or if the provider believes, in good faith, that an emergency involving the danger of death or serious physical injury to any person exists and that disclosure of the location is relevant to preventing the death or injury or to mitigating the injury.

Under the bill, a provider of a wireless communications service must provide law enforcement with information regarding the location of a device if the provider receives a written request from a law enforcement agency stating that the information is needed to allow a law enforcement agency to respond to a call for emergency services or to an emergency involving the danger of death or serious physical injury to any person, and that disclosure of the location is relevant to preventing the death or injury or to mitigating the injury.

The bill also requires each provider of wireless communication services that does business in the state to submit contact information to the Department of Justice (DOJ) annually, and requires DOJ to maintain a list of providers and distribute the list to law enforcement agencies. The bill also confers certain immunity from civil or criminal liability for a provider of wireless communication services that provides the information to a law enforcement agency.

SENATE AMENDMENT 1

Senate Amendment 1 changes the language in the bill so that a law enforcement agency must submit a written request “attesting,” rather than “stating,” that the disclosure of the device location is needed in an emergency situation.

BILL HISTORY

Senator James offered Senate Amendment 1 on January 24, 2024. On February 8, 2024, the Senate Committee on Judiciary and Public Safety recommended adoption of the amendment on a vote of Ayes, 6; Noes, 1, and passage of the bill, as amended, on a vote of Ayes, 5; Noes, 2.

For a full history of the bill, visit the Legislature’s [bill history page](#).

AO:ksm