

LAK:ksm;

12/07/2012

1 **AN ACT** *to repeal* 256.35 (3m) (a) 2.; *to renumber* 256.35 (1) (a) and 256.35 (3) (a)
 2 1.; and *to create* 256.35 (1) (am), (ct) and (em) and 256.35 (12) of the statutes;
 3 **relating to:** telecommunications subscriber records.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

JOINT LEGISLATIVE COUNCIL PREFATORY NOTE: This bill draft was prepared for the Joint Legislative Council’s Special Committee on 911 Communications.

This draft modifies current law in multiple ways with respect to communications subscriber records and other information. First, it allows communications providers to designate information provided to the office of justice assistance (OJA), or the public service commission (PSC) as proprietary. Information so designated, and that is also determined by the entity receiving the information from the communications provider to be proprietary, would not be subject to inspection or copying under s. 19.35 except with the written consent of the communications provider. Second, it provides that subscriber records provided by communications providers to public safety answering points (PSAPs) for public safety purposes are also not subject to inspection or copying under s. 19.35. Finally, it requires 911 service providers, communications providers, and PSAPs to take action to update the master street address guide and automatic location information database within specified time periods.

4 **SECTION 1.** 256.35 (1) (a) of the statutes is renumbered 256.35 (1) (as).

5 **SECTION 2.** 256.35 (1) (am), (ct) and (em) of the statutes are created to read:

6 256.35 (1) (am) “911 service provider” means the entity that contracts with the
 7 commission to provide selective routing services and manage updates to the automatic
 8 location information database and master street address guide for a particular geographic area.

9 (ct) “Communications provider” means a person that provides active voice or nonvoice
 10 communications service that is capable of accessing a public safety answering point.

1 (em) “Master street address guide” means a database of street names and address
2 number ranges used to determine the proper public safety answering point to which to route
3 a 911 call and the appropriate police, fire, ambulance, rescue, and medical services agencies
4 to dispatch.

5 **SECTION 3.** 256.35 (3) (a) 1. of the statutes is renumbered 256.35 (1) (cp).

6 **SECTION 4.** 256.35 (3m) (a) 2. of the statutes is repealed.

7 **SECTION 5.** 256.35 (12) of the statutes is created to read:

8 256.35 (12) PROVIDER INFORMATION. (a) *Proprietary information.* Any information
9 submitted by a communications provider to the office of justice assistance or the commission
10 that the communications provider designates as proprietary, and that the office of justice
11 assistance or the commission, determines is proprietary, is confidential and not subject to
12 inspection or copying under s. 19.35, except with the written consent of the communications
13 provider. Information collected by the office of justice assistance or the commission may be
14 released or published only in a manner that does not identify or enable identification of
15 numbers of subscribers or revenues attributable to an individual communications provider.

16 (b) *Subscriber records and information.* Subscriber records that a communications
17 provider discloses to a public safety answering point for public safety purposes remain the
18 property of the communications provider and use of the records by a public safety answering
19 point is limited to uses associated with providing emergency services. Any connection
20 information of a subscriber, including the subscriber’s address, that is obtained from the
21 communications provider by a public safety answering point is not subject to inspection or
22 copying under s. 19.35.

1 (c) *Automatic location information database and master street address guide updates.*

2 1. In this paragraph, “service” means a communications service capable of accessing a public
3 safety answering point that is associated with a particular geographic location.

4 2. No later than 2 business days after a communications provider installs or relocates
5 service for a new or existing customer or after a customer notifies a communications provider
6 of the initial location or relocation of the customer’s service, the communications provider
7 shall submit an update for the automatic location information database for that location to the
8 911 service provider.

9 3. If the need for an update to the master street address guide is required for a 911 service
10 provider to process an update submitted to the 911 service provider under subd. 2., the 911
11 service provider shall do one of the following within 2 business days of the submission of the
12 update:

13 a. Update the master street address guide for that location.

14 b. Identify additional information necessary to update the master street address guide
15 for that location and request that information from the relevant public safety answering point.

16 4. No later than 2 business days after a public safety answering point receives a request
17 for information from a communications provider under subd. 3. b., the public safety answering
18 point shall do one of the following:

19 a. Provide the requested information to the 911 service provider.

20 b. Update the master street address guide for that location and notify the 911 service
21 provider of the update.

1 5. No later than 2 business days after a 911 service provider receives the information
2 requested from a public safety answering point under subd. 3. b. for a location, the 911 service
3 provider shall update the master street address guide for that location.

4

(END)