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**STATE OF MAINE
SENATE
126TH LEGISLATURE
FIRST REGULAR SESSION**

SENATE AMENDMENT “ ” to COMMITTEE AMENDMENT “A” to S.P. 484, L.D. 1377, Bill, “An Act To Protect Cellular Telephone Privacy”

Amend the amendment in section 1 in §642 in the first line (page 2, line 17 in amendment) by inserting after the following: "information" the following: 'held by a provider of electronic communication service'

Amend the amendment in section 1 in §642 in subsection 1 in the 2nd line (page 2, line 19 in amendment) by inserting after the following: "information" the following: 'directly from a provider of electronic communication service'

Amend the amendment in section 1 in §644 by inserting after subsection 1 the following:

2. Consent of owner or user not required if content information public.
Notwithstanding subsection 1, a government entity may obtain content information without a warrant if the content information is otherwise disclosed by anyone in a publicly accessible domain, including, but not limited to, on the Internet.'

Amend the amendment in section 1 in §644 to renumber the subsections to read consecutively.

SUMMARY

This amendment clarifies the language concerning access to portable electronic communication device content. The amendment provides that a warrant is required when a government entity seeks portable electronic device content information directly from the provider of the portable electronic communication service.

This amendment also provides that the consent of the owner or user is not required if the content information is disclosed in a publicly accessible domain.

SPONSORED BY: _____

(Senator KATZ)
COUNTY: Kennebec

SENATE AMENDMENT