

By Senator Latvala

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A bill to be entitled
An act relating to emergency telephone number
"911" services; amending s. 365.171, F.S.;
providing for indemnification and limitation of
liability for local governments and wireless
telecommunications service providers that
provide 911 service; providing an effective
date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (17) is added to section
365.171, Florida Statutes, to read:

365.171 Emergency telephone number "911."--

(17) LIMITATION OF LIABILITY FOR LOCAL GOVERNMENTS AND
COMMERCIAL MOBILE RADIO SERVICE PROVIDERS.--

(a) Notwithstanding any other provision of law, a
local government, public agency, public safety agency,
commercial mobile radio service provider as defined in s.
364.02, or local exchange telecommunications company, or any
employee, director, officer, or agent of any such entity, is
not liable for damages in a civil action nor subject to
criminal prosecution as a result of death or injury to, or
damage to property incurred by, any person in connection with
establishing, implementing, maintaining, and providing access
or any failure to establish, implement, maintain, operate, or
provide access to wireless 911 service, E911 service, or any
other wireless service intended to help persons obtain
emergency assistance. This limitation of liability is
inapplicable if such failure resulted from a malicious purpose

1 or a wanton and willful disregard of human rights, safety, or
2 property.

3 (b) A commercial mobile radio service provider or
4 local exchange telecommunications company is not liable for
5 damages to any person resulting from or in connection with
6 such entity's provision of any lawful assistance to any
7 investigative or law enforcement officer of this state or a
8 political subdivision of this state, of the United States, or
9 of any other state or a political subdivision of such state in
10 connection with any lawful investigation by or other law
11 enforcement activity of the law enforcement officer unless the
12 entity, in providing such assistance, acted in a manner
13 exhibiting wanton and willful disregard of human rights,
14 safety, or property.

15 Section 2. This act shall take effect upon becoming a
16 law.

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19 SENATE SUMMARY

20 Provides for indemnification and limitation of liability
21 for local governments and wireless telecommunications
22 service providers that provide 911 service.
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