

By Representative Edwards

1 A bill to be entitled
2 An act relating to emergency telephone number
3 "911" services; amending s. 365.171, F.S.;
4 providing for indemnification and limitation of
5 liability for local governments and wireless
6 telecommunications service providers that
7 provide 911 service; providing an effective
8 date.

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

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12 Section 1. Subsection (17) is added to section
13 365.171, Florida Statutes, to read:

14 365.171 Emergency telephone number "911."--
15 (17) LIMITATION OF LIABILITY FOR LOCAL GOVERNMENTS AND
16 COMMERCIAL MOBILE RADIO SERVICE PROVIDERS.--

17 (a) Notwithstanding any other provision of law, a
18 local government, public agency, public safety agency,
19 commercial mobile radio service provider as defined in s.
20 364.02, or local exchange telecommunications company, or any
21 employee, director, officer, or agent of any such entity, is
22 not liable for damages in a civil action nor subject to
23 criminal prosecution as a result of death or injury to, or
24 damage to property incurred by, any person in connection with
25 establishing, implementing, maintaining, and providing access
26 or any failure to establish, implement, maintain, operate, or
27 provide access to wireless 911 service, E911 service, or any
28 other wireless service intended to help persons obtain
29 emergency assistance. This limitation of liability is
30 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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