

HB451 INTRODUCED



1 HB451
2 48MFI33-1
3 By Representative Bolton
4 RFD: Public Safety and Homeland Security
5 First Read: 11-Apr-24



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SYNOPSIS:

Under existing law, law enforcement agencies, corrections agencies, detention agencies, and courts have the authority to require certain individuals to submit to location monitoring in certain circumstances.

This bill would require a public entity that possesses or controls location monitoring data to provide certain location monitoring data to a law enforcement officer pursuant to an ongoing criminal investigation for which there is reasonable suspicion to believe that the data will be probative.

This bill would also require any entity that will control or possess location monitoring data pursuant to a contract to provide certain location monitoring data to a law enforcement officer pursuant to an ongoing criminal investigation for which there is reasonable suspicion to believe that the data will be probative.

A BILL
TO BE ENTITLED
AN ACT

Relating to location monitoring; to provide for



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29 location monitoring data in certain circumstances; and to
30 provide for location monitoring services contracts.

31 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

32 Section 1. Any public entity that possesses or controls
33 location monitoring data with respect to a defendant on
34 pretrial release, without requiring a warrant, shall make that
35 data available to a law enforcement officer pursuant to an
36 ongoing criminal investigation for which there is reasonable
37 suspicion to believe that the data will be probative. The data
38 provided to a law enforcement officer pursuant to this section
39 shall be limited to data that relates to the criminal
40 investigation and that is not more than one year old.

41 Section 2. Any contract entered into for the provision
42 of location monitoring services by any law enforcement,
43 corrections, or detention agency, or any court, after October
44 1, 2024, shall require any entity that, by virtue of the
45 contract, will possess or control location monitoring data to
46 provide any location monitoring data to a law enforcement
47 officer pursuant to an ongoing criminal investigation for
48 which there is reasonable suspicion to believe that the data
49 will be probative. The data provided to a law enforcement
50 officer pursuant to this section shall be limited to data that
51 relates to the criminal investigation and that is not more
52 than one year old.

53 Section 3. This act shall become effective on October
54 1, 2024.