

HB 1388 -- ELECTRONIC LOCATION DEVICES

SPONSOR: Cornejo

COMMITTEE ACTION: Voted "Do Pass" by the Committee on Downsizing State Government by a vote of 12 to 2.

This bill prohibits a governmental entity from obtaining the location information of an electronic device without a search warrant, except in certain specified circumstances. Any evidence obtained as a result of a violation of these provisions is inadmissible in a civil, criminal, or administrative proceeding and cannot be used in an affidavit of probable cause to obtain a search warrant. A violation of these provisions is subject to a \$50 fine.

PROponents: Supporters say that this bill would prohibit a governmental entity from obtaining the location information of an electronic device, such as a cell phone, without a search warrant. This bill has been passed in both Montana and Maine.

Testifying for the bill were Representative Cornejo and American Civil Liberties Union.

OPponents: There was no opposition voiced to the committee.