



General Assembly

Amendment

January Session, 2005

LCO No. 7006

SB0135607006SR0

Offered by:

SEN. KISSEL, 7th Dist.

REP. FAHRBACH, 61st Dist.

To: Subst. Senate Bill No. 1356

File No. 570

Cal. No. 421

**"AN ACT AUTHORIZING LAW ENFORCEMENT OFFICIALS TO
REQUEST EX PARTE AUTHORITY TO COMPEL DISCLOSURE OF
TELEPHONE AND INTERNET RECORDS."**

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. Section 16-247s of the general statutes is repealed and the
4 following is substituted in lieu thereof (*Effective October 1, 2005*):

5 (a) Each certified telecommunications provider, as defined in section
6 16-1, that provides local exchange service to customers in the state
7 shall provide without charge to a telephone company serving more
8 than one hundred thousand customers for directory assistance
9 purposes all listings for its Connecticut customers other than those
10 listings that are nonpublished. Such telephone company, or its agent or
11 affiliate as applicable, shall, in accordance with the terms and
12 conditions set forth in the federal Telecommunications Act of 1996, as
13 from time to time amended, and any applicable order or regulation

14 adopted by the Federal Communications Commission thereunder,
15 including the availability and timing of updates and applicable rates,
16 compile all such listings and all listings for its own Connecticut
17 customers other than those that are nonpublished in a directory
18 assistance database and make all such listings contained in such
19 database available in electronic format to directory assistance
20 providers. If a customer requests a customer listing from a certified
21 telecommunications provider that does not provide directory
22 assistance, such provider shall connect the customer at no charge with
23 an entity that provides directory assistance to the customer. Each such
24 certified telecommunications provider shall indemnify a telephone
25 company for any damages caused by that certified telecommunications
26 provider's negligence in misidentifying a nonpublished customer.

27 (b) Unless required by other law, no cellular mobile telephone
28 carrier may disclose the cellular telephone number, name or address of
29 a customer to another person unless such customer authorizes such
30 disclosure in accordance with the provisions of subsection (c) of this
31 section.

32 (c) The customer's authorization permitted under subsection (b) of
33 this section shall be obtained through a separate question, given orally,
34 by written record or by electronic means provided such cellular mobile
35 telephone carrier shall maintain a record or copy of such authorization.

36 (d) A customer who gives the authorization permitted under
37 subsection (b) of this section may revoke such authorization at any
38 time. A cellular mobile telephone carrier shall comply with a request to
39 revoke authorization no later than sixty days after receiving such a
40 request.

41 (e) No cellular mobile telephone carrier may charge a fee to a
42 customer or refuse to provide service to a person for declining to give
43 the authorization permitted under subsection (b) of this section.

44 (f) No person may distribute a directory containing the name or
45 cellular mobile telephone number information of a customer of a

46 cellular mobile telephone carrier who has not given an authorization in
47 accordance with the provisions of subsection (c) of this section."