

REFERENCE TITLE: internet service providers; records

State of Arizona
House of Representatives
Forty-eighth Legislature
Second Regular Session
2008

HB 2498

Introduced by
Representative Robson

AN ACT

AMENDING TITLE 44, ARIZONA REVISED STATUTES, BY ADDING CHAPTER 35; RELATING
TO INTERNET SERVICE PROVIDERS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 44, Arizona Revised Statutes, is amended by adding
3 chapter 35, to read:

4 CHAPTER 35

5 INTERNET SERVICE PROVIDERS

6 ARTICLE 1. GENERAL PROVISIONS

7 44-7801. Definitions

8 IN THIS CHAPTER, UNLESS THE CONTEXT OTHERWISE REQUIRES:

9 1. "ALLOCATE" MEANS DISTRIBUTE, DELEGATE, LEASE, SUBLEASE, GRANT A
10 LICENSE FOR, GIVE OR ALLOW BY ANY OTHER MEANS ANOTHER PERSON TO USE AN
11 INTERNET PROTOCOL ADDRESS.

12 2. "ALLOCATOR" MEANS A PERSON WHO ALLOCATES.

13 3. "EQUIPMENT OWNER" MEANS A PERSON WHO PROVIDES EQUIPMENT FOR USE IN
14 HOSTING OR PUBLISHING CONTENT OVER THE INTERNET.

15 4. "HOST" MEANS A PERSON WHO PROVIDES AN INTERNET LOCATION TO ONE OR
16 MORE CONTENT PUBLISHERS.

17 5. "INTERNET PROTOCOL ADDRESS" MEANS A NUMBER THAT UNIQUELY IDENTIFIES
18 A DEVICE THAT IS CONNECTED TO A COMPUTER NETWORK THAT IS INTERNET PROTOCOL
19 BASED.

20 6. "INTERNET SERVICE PROVIDER" MEANS A PERSON WHO IS ANY OF THE
21 FOLLOWING:

22 (a) PROVIDING INTERNET ACCESS.

23 (b) AN EQUIPMENT OWNER.

24 (c) A HOST.

25 (d) AN INTERNET PROTOCOL ALLOCATOR.

26 7. "INTERNET USER" MEANS A PERSON WHO RECEIVES OR TRANSMITS ANY
27 COMMUNICATION OVER THE INTERNET.

28 8. "STATE PROVIDER" MEANS AN INTERNET SERVICE PROVIDER THAT IS
29 DOMICILED IN THIS STATE.

30 44-7802. Record retention; availability on request

31 A. A STATE PROVIDER SHALL KEEP A RECORD FOR AT LEAST TWO YEARS
32 FOLLOWING ANY ALLOCATION OF AN INTERNET PROTOCOL ADDRESS UNDER ITS CONTROL,
33 EXCLUDING PRIVATE AND NONROUTABLE INTERNET PROTOCOL ADDRESSES. THE RECORD
34 SHALL CONTAIN ALL OF THE FOLLOWING IN A REASONABLY IDENTIFIABLE MANNER:

35 1. EACH INTERNET PROTOCOL ADDRESS ALLOCATED BY OR TO THE STATE
36 PROVIDER.

37 2. THE DATE AND TIME THE INTERNET PROTOCOL ADDRESS WAS ALLOCATED.

38 3. THE INTERNET USER WHO OBTAINED THE INTERNET PROTOCOL ADDRESS.

39 B. ON REQUEST, THE STATE PROVIDER SHALL MAKE AVAILABLE A RECORD
40 DESCRIBED IN SUBSECTION A TO FEDERAL AND STATE LAW ENFORCEMENT AGENCIES AND
41 THE ATTORNEY GENERAL.

