

Code of Ala. § 13A-8-115

Current through the end of the 2023 First Special, Regular, and Second Special Sessions, but not including corrections and changes made to the 2023 session laws by the Code Commissioner.

Michie's™ Alabama Code > TITLE 13A Criminal Code (Chs. 1 — 14) > CHAPTER 8 Offenses Involving Theft (Arts. 1 — 11) > Article 5A The Alabama Digital Crime Act (§§ 13A-8-110 — 13A-8-119)

§ 13A-8-115. Prosecutorial access to stored data and subscriber information.

- (a) A law enforcement officer, a prosecuting attorney, or the Attorney General may require the disclosure of stored wire or electronic communications, as well as transactional records and subscriber information pertaining thereto, to the extent and under the procedures and conditions provided for by the laws of the United States.
- (b) A provider of electronic communication service or remote computing service shall provide subscriber information as well as the contents of, and transactional records pertaining to, wire and electronic communications in its possession or reasonably accessible thereto when a requesting law enforcement officer, a prosecuting attorney, or the Attorney General complies with the provisions for access thereto set forth by the laws of the United States.
- (c) Warrants or appropriate orders for production of stored wire or electronic communications and transactional records pertaining thereto shall have statewide application or application as provided by the laws of the United States when issued by a judge with jurisdiction over the criminal offense under investigation or to which such records relate.
- (d) This section specifically authorizes any law enforcement official, prosecuting attorney, or the Attorney General to issue a subpoena to obtain any stored electronic records governed by 18 U.S.C.S. § 2703(b) et seq, and any successor statute. The subpoena shall be issued with a showing that the subpoenaed material relates to an investigation.
- (e) Intentional violation of this section shall be punishable as contempt.

History

Acts 2012, No. 12-432, § 6, Aug. 1, 2012.

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