

SENATE BILL REPORT

SB 5397

AS OF FEBRUARY 6, 1991

Brief Description: Revising the privacy act for approved common carrier services.

SPONSORS: Senators Nelson, Rasmussen, Erwin, Newhouse, Madsen and Hayner.

SENATE COMMITTEE ON LAW & JUSTICE

Staff: Jack Brummel (786-7428)

Hearing Dates: February 7, 1991

BACKGROUND:

Washington's Privacy Act makes it unlawful to intercept or record any communication transmitted by telephone or other device without first obtaining the consent of all participants in the communication. Caller ID allows call recipients to display or record the name, number, and potentially the address of the calling party. The technology can also allow the calling party to block delivery of this information. Washington court decisions have led the Attorney General's Office to conclude that the use of caller ID may violate the state Privacy Act as currently written.

SUMMARY:

The Privacy Act does not apply to caller ID services, including enhanced 911 emergency service, operated by a common carrier and approved by the Washington Utilities and Transportation Commission.

Appropriation: none

Revenue: none

Fiscal Note: none requested