

1 **ESSB 5466** - H AMD TO H COMM AMD BY COMMITTEE ON LAW & JUSTICE (H-
2 2692.1) **788 WITHDRAWN 4/14/95**

3 By Representative Hickel and others

4 On page 4, after line 8, insert the following:

5 "NEW SECTION. **Sec. 5.** This chapter shall not apply to:

6 (1) The official circulation of material by a recognized
7 historical society or museum, a library of a college or university,
8 or an archive or library under the supervision and control of the
9 state, county, municipality, or other political subdivision of the
10 state;

11 (2) Any transmissions by a franchised cable operator unless
12 the franchised cable operator controls, or is capable of
13 controlling, the content of that transmission. Pursuant to the
14 federal communications act of 1934, the terms "transmission,"
15 "franchised," and "cable operator" are used as those terms are
16 defined in federal legislation and federal communications
17 commission rules or decisions;

18 (3) A provider of on-line services that allows another person
19 access to information stored in an electronic form, such as an
20 electronic bulletin board or the internet. For purposes of this
21 subsection, a "provider" means a person who is in the business of
22 providing access to information stored in an electronic form but
23 who has no ability to control the content of the information and no
24 ability to limit or restrict the viewing or displaying of such
25 information;

26 (4) Instructional materials reviewed and recommended by an
27 instructional materials committee and approved by the local school
28 district's board of directors in accordance with RCW 28A.320.230."

29
30 Renumber the remaining sections consecutively and correct internal
31 references accordingly

EFFECT: Exempts from the bill: (1) museums and historical societies; (2) college and university libraries; (3) libraries under the supervision and control of the state, county or municipality; (4) transmissions by franchised cable operators unless the operator can control the content of the transmission; (5) providers of on-line services that allow access to information stored in an electronic form, such as computer bulletin boards; and (6) instructional materials approved by a local school district's board of directors.