

# FINAL BILL REPORT

## SB 5574

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Synopsis as Enacted

**Brief Description:** Clarifying district court jurisdiction over actions involving commercial electronic mail.

**Sponsors:** Senators Finkbeiner, Poulsen and Reardon; by request of Attorney General.

**Senate Committee on Technology & Communications**  
**House Committee on Judiciary**

**Background:** The district courts in Washington State have concurrent jurisdiction with superior courts over misdemeanor and gross misdemeanor violations and civil cases under \$50,000. They have exclusive jurisdiction over small claims and infractions.

Washington statutes regarding unsolicited, deceptive commercial electronic mail, or spam, are designed to protect state residents against bulk commercial e-mails that contain misleading information in the subject line, use a third party's internet address without permission or disguise the message's origin.

According to the Attorney General's Office, many plaintiffs have used Washington's anti-spam law to take legal action against out-of-state senders of spam in district courts. These plaintiffs have met with varying degrees of success. Some district courts have exercised jurisdiction over out-of-state defendants, and some have not.

**Summary:** It is clarified that the district courts in Washington State have jurisdiction over actions brought against senders of spam in violation of Washington's anti-spam law. It is also clarified that it is proper for the district courts in Washington to hear actions against non-resident defendants who violate Washington's anti-spam law.

**Votes on Final Passage:**

Senate	49 0
House	95 0

**Effective:** July 27, 2003