

1885

Sponsor(s): Representatives Ruderman and Nixon

Brief Description: Regulating commercial electronic mail.

HB 1885 - DIGEST

Seeks to provide some immediate relief to interactive computer service providers by prohibiting the sending of commercial electronic mail messages that use a third party's internet domain name without the third party's permission, misrepresent the message's point of origin, or contain untrue or misleading information in the subject line.

Provides that damages to the recipient of an unsolicited commercial electronic mail message resulting from a violation of this act are the greater of ten dollars for each unsolicited commercial electronic mail message received, or actual damages. Damages may not exceed twenty-five thousand dollars for each day that the recipient receives these messages.

Provides that damages to an interactive computer service resulting from a violation of this act are the greater of ten dollars for each unsolicited commercial electronic mail message transmitted through the interactive service company, actual damages, or twenty-five thousand dollars per day, whichever is greater.

Provides that no person may initiate the transmission, conspire with another to initiate the transmission, or assist the transmission of an unsolicited commercial electronic mail message from a computer located in Washington state or to an electronic mail address that the sender knows, or has reason to know, is held by a Washington state resident that fails to include "ADV:" as the first four characters in the subject line or which fails to provide a mechanism allowing recipients to easily and at no cost inform senders that they are Washington state residents and remove themselves from the sender's electronic mail address lists so that they are not included in future mailings.