

SENATE BILL REPORT

SB 5112

As of January 21, 2021

Title: An act relating to requiring broadband internet access service providers to provide virtual private network service.

Brief Description: Requiring broadband internet access service providers to provide virtual private network service.

Sponsors: Senator Ericksen.

Brief History:

Committee Activity: Environment, Energy & Technology: 1/21/21.

Brief Summary of Bill

- Requires any person providing broadband Internet access service to offer virtual private network service to users at no cost.

SENATE COMMITTEE ON ENVIRONMENT, ENERGY & TECHNOLOGY

Staff: Angela Kleis (786-7469)

Background: Washington Law-Open Internet Access. Any person providing broadband Internet access service in the state must disclose accurate information regarding network management practices, performance characteristics, and commercial terms of its broadband Internet access services to enable consumers to make informed choices. A person providing broadband Internet access services in the state are prohibited from engaging in certain activities such as blocking lawful content or impairing lawful Internet traffic on the basis of Internet content. A violation of these provisions is enforceable under the Consumer Protection Act solely by the attorney general.

Virtual Private Network. A virtual private network (VPN) is an encrypted connection over the Internet from a device to a network. VPNs protect communications carried over public

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and private networks and can provide several types of data protection, including confidentiality, integrity, and access control.

Summary of Bill: Any person providing broadband Internet access service must offer VPN service to end users at no extra cost to the end user. An end user is not required to use the offered VPN service and may use a VPN service offered by a third party. A broadband Internet access service provider may not prohibit an end user from using a VPN service offered by a third party.

VPN means an encrypted connection from an end user's device to a network that is designed to protect the security and privacy of the end user while accessing the Internet.

Appropriation: None.

Fiscal Note: Not requested.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: CON: This bill is unnecessary and preempted by federal law. Consumers already have affordable options.

Persons Testifying: CON: Lisa McCabe, CTIA.

Persons Signed In To Testify But Not Testifying: No one.