

SENATE BILL REPORT

SB 5588

As Reported By Senate Committee On:
Law & Justice, February 15, 1995

Title: An act relating to private communications.

Brief Description: Clarifying protection of private communications.

Sponsors: Senators C. Anderson, Smith, Long, Prince, Haugen and Schow.

Brief History:

Committee Activity: Law & Justice: 2/6/95, 2/15/95 [DPS].

SENATE COMMITTEE ON LAW & JUSTICE

Majority Report: That Substitute Senate Bill No. 5588 be substituted therefor, and the substitute bill do pass.

Signed by Senators Smith, Chair; C. Anderson, Vice Chair; Hargrove, Haugen, Johnson, Long, McCaslin, Quigley and Schow.

Staff: Cynthia Runger (786-7717)

Background: It is illegal to intercept or record any private communication transmitted between two or more individuals by a recording or transmitting device without the consent of all participants, except in emergencies and situations in which one party is harassing or threatening to make unlawful demands on another.

There is concern that the current language does not prohibit unauthorized monitoring and listening.

Summary of Substitute Bill: It is illegal to intercept or record any private communication transmitted between two or more individuals by a device designed to intercept, record, or transmit without the consent of all participants, except in emergencies and situations in which one party is harassing or threatening to make unlawful demands on another.

Substitute Bill Compared to Original Bill: In addition to prohibiting interception by a device designed to record or transmit, it is also illegal to intercept by a device designed to monitor or listen in on private communication.

Appropriation: None.

Fiscal Note: Available.

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

Testimony For: It is essential to protect the privacy rights of persons who engage in private communication by wire or electronic device.

Testimony Against: None.

Testified: Mark Muenster.