
SENATE BILL 5636

State of Washington

56th Legislature

1999 Regular Session

By Senators Finkbeiner, Brown, Patterson, Kline, Kohl-Welles, Oke, Eide, Rasmussen and McAuliffe

Read first time 02/01/1999. Referred to Committee on Energy, Technology & Telecommunications.

1 AN ACT Relating to commercial telephone solicitation; adding a new
2 section to chapter 19.158 RCW; creating a new section; and prescribing
3 penalties.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** The legislature finds that: (1) Protecting
6 the well-being, tranquility, and privacy of the home is of significant
7 concern to many citizens; and (2) for many people, unwanted commercial
8 telephone solicitations constitute an invasion of the well-being,
9 tranquility, and privacy of the home. The legislature intends,
10 therefore, to assist citizens in protecting the well-being,
11 tranquility, and privacy of their homes by creating a process through
12 which residential telephone subscribers can choose to be free from
13 unwanted commercial telephone solicitations.

14 NEW SECTION. **Sec. 2.** A new section is added to chapter 19.158 RCW
15 to read as follows:

16 (1) The attorney general shall maintain a public listing of
17 residential telephone numbers whose subscribers have affirmatively
18 requested not to receive commercial telephone solicitations. The

1 attorney general and the utilities and transportation commission shall
2 make reasonable efforts, within existing resources, to publicize the
3 availability of the public listing and the method or methods by which
4 residential telephone subscribers may have their telephone numbers
5 placed on the list. The listing shall be available for inspection by
6 the public in written and electronic form. The attorney general shall
7 periodically transmit the list to a national telephone preference
8 service for the purpose of removing individuals from national
9 telemarketing lists.

10 (2) No fee may be charged to residential telephone subscribers for
11 placing their numbers on the list. A reasonable fee, as determined by
12 the attorney general, may be charged to inspect the list in written or
13 electronic form.

14 (3) It is unlawful and a violation of this section for any person
15 to make a commercial telephone solicitation call to any residential
16 telephone number that: (a) Is contained on the public listing under
17 subsection (1) of this section; and (b) has been on the list for at
18 least ten business days prior to the making of the commercial telephone
19 solicitation.

20 (4) In addition to any other penalties or remedies available under
21 this chapter or chapter 19.86 RCW, a person injured by a violation of
22 subsection (3) of this section may bring an action for recovery of
23 liquidated damages in the amount of one hundred dollars per violation,
24 plus court costs and attorneys' fees.

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