

5868-S

Sponsor(s): Senate Committee on Economic Development & Telecommunications (originally sponsored by Senators Kohl-Welles, Finkbeiner, Costa, Kline, Zarelli, Hargrove, Thibaudeau, Franklin and Kastama)

Brief Description: Restricting information about cable subscribers.

SB 5868-S - DIGEST

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides that a cable operator shall not collect personally identifiable information concerning any subscriber without the prior written or electronic consent of the subscriber concerned, unless the information is necessary to provide requested cable service to the subscriber. A cable operator shall not observe or record, or allow any third party to observe or record, the viewing habits or communications of subscribers over the cable system except:

(1) For collecting personally identifiable information necessary to render, or conduct a legitimate business activity related to, a cable service provided by the cable operator; or

(2) To detect unauthorized reception of cable communications.

Provides that a cable operator shall not disclose personally identifiable information concerning any subscriber unless: (1) The disclosure is required by state or federal law;

(2) The subscriber has provided written consent to the disclosure;

(3) The disclosure is necessary to provide cable service to the subscriber;

(4) The disclosure is made pursuant to a court order authorizing such disclosure, if the subscriber is notified of such order by the person to whom the order is directed; or

(5) The disclosure is limited to names and addresses of subscribers and the cable operator has provided the subscriber the opportunity to prohibit or limit such disclosure.

Provides that a subscriber whose personally identifiable information is collected or disclosed in violation of this act may collect damages of one thousand dollars, or actual damages, whichever is greater.