
SUBSTITUTE SENATE BILL 5081

State of Washington

59th Legislature

2005 Regular Session

By Senate Committee on Human Services & Corrections (originally sponsored by Senators Roach, Swecker, Oke, Deccio, Zarelli, Mulliken, Honeyford, Schmidt, Stevens, Benson, McCaslin and Benton)

READ FIRST TIME 02/15/05.

1 AN ACT Relating to monitoring of a child's communications and
2 conversations by a parent or guardian; and amending RCW 9.73.070.

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

4 **Sec. 1.** RCW 9.73.070 and 1994 c 49 s 1 are each amended to read as
5 follows:

6 (1) The provisions of this chapter shall not apply to any activity
7 in connection with services provided by a common carrier pursuant to
8 its tariffs on file with the Washington utilities and transportation
9 commission or the Federal Communication Commission and any activity of
10 any officer, agent or employee of a common carrier who performs any act
11 otherwise prohibited by this law in the construction, maintenance,
12 repair and operations of the common carrier's communications services,
13 facilities, or equipment or incident to the use of such services,
14 facilities or equipment. Common carrier as used in this section means
15 any person engaged as a common carrier or public service company for
16 hire in intrastate, interstate or foreign communication by wire or
17 radio or in intrastate, interstate or foreign radio transmission of
18 energy.

19 (2) The provisions of this chapter shall not apply to:

1 (a) Any common carrier automatic number, caller, or location
2 identification service that has been approved by the Washington
3 utilities and transportation commission; ((~~or~~))

4 (b) A 911 or enhanced 911 emergency service as defined in RCW
5 82.14B.020, for purposes of aiding public health or public safety
6 agencies to respond to calls placed for emergency assistance; or

7 (c) A parent or guardian who is monitoring his or her own minor
8 child's communications or conversations, unless that parent or guardian
9 is acting at the insistence of agents of law enforcement.

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