
HOUSE BILL 2102

State of Washington

60th Legislature

2007 Regular Session

By Representatives Morris and Hudgins

Read first time 02/08/2007. Referred to Committee on Technology,
Energy & Communications.

1 AN ACT Relating to records retained by communications providers;
2 and adding new sections to chapter 19.250 RCW.

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

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 19.250 RCW
5 to read as follows:

6 The definitions in this section apply throughout this chapter
7 unless the context clearly requires otherwise.

8 (1) "Covered entity" means: (a) A radio communications service
9 company, as defined in RCW 80.04.010 and (b) any provider of internet
10 protocol-enabled voice.

11 (2) "Customer profile data" means account information and other
12 nonpublic personal information about a customer stored by a covered
13 entity.

14 (3) "Nonpublic personal information" means personally identifiable
15 information that is not readily available through public sources.
16 "Nonpublic personal information" may include any of the following
17 information: (a) A bank account number; (b) a social security number;
18 (c) a credit or debit card number; (d) a personal identification
19 number; (e) an automated or electronic signature; (f) unique biometric

1 data; (g) account passwords or access codes; (h) medical information;
2 and (i) a unique tag number. "Nonpublic personal information" does not
3 include publicly available information that a person has a reasonable
4 basis to believe is lawfully made available to the general public from
5 federal, state, or local government records; widely distributed media;
6 or disclosures to the general public that are required to be made by
7 federal, state, or local law. "Nonpublic personal information" shall
8 include any list, description, or other grouping of consumers, and
9 publicly available information pertaining to them, that is derived
10 using any nonpublic personal information other than publicly available
11 information, but does not include any list, description, or other
12 grouping of consumers, and publicly available information pertaining to
13 them, that is derived without using any nonpublic personal information.

14 (4) "Substantially" means a redesign or upgrade of more than
15 twenty-five percent of the code or database structures of the billing
16 system.

17 NEW SECTION. **Sec. 2.** A new section is added to chapter 19.250 RCW
18 to read as follows:

19 (1) When a covered entity substantially upgrades or replaces their
20 billing or records management system, the resulting system must be
21 capable of verifying and recording which person or persons, internal or
22 external, have had access to customer profile data.

23 (2) Upon written request by a customer, any covered entity shall
24 release to the customer all customer profile data pertaining to that
25 customer, including the identity of any individual or entity, internal
26 or external, who has had access to the requesting customer's records.
27 The customer may request a copy of their records once per year free of
28 charge. The customer may be charged a nominal fee for subsequent
29 requests. Any customer profile data collected by a covered entity must
30 be retained and remain accessible to the customer for at least two
31 years.

32 (3) After reviewing his or her customer profile data pursuant to
33 subsection (2) of this section, a customer must be given the
34 opportunity to:

35 (a) Contest the accuracy, completeness, timeliness, relevance, or
36 dissemination of his or her customer profile data;

1 (b) Correct or amend the information contained in his or her
2 customer profile data; and

3 (c) Request that customer profile data be removed or destroyed from
4 the database, unless removal or destruction of the information would be
5 contrary to applicable state or federal law.

6 NEW SECTION. **Sec. 3.** A new section is added to chapter 19.250 RCW
7 to read as follows:

8 A covered entity must implement adequate security measures to
9 protect customer profile data and customer records from unauthorized
10 access, loss, or tampering. These security measures should be
11 consistent with industry accepted best standards that are commensurate
12 with the amount and sensitivity of the customer information being
13 stored on the system.

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