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SENATE BILL 5628

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State of Washington                      61st Legislature                      2009 Regular Session

By Senators Haugen, Kastama, Delvin, Hobbs, Shin, Jacobsen, Kohl-  
Welles, Marr, McAuliffe, Berkey, and Stevens

Read first time 01/27/09. Referred to Committee on Economic  
Development, Trade & Innovation.

1            AN ACT Relating to internet protocol services; and adding a new  
2 section to chapter 80.36 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 80.36 RCW  
5 to read as follows:

6            (1) As used in this section:

7            (a) "Voice over internet protocol service" means a service that:

8            (i) Enables real time, two-way voice communications that originate  
9 or terminate from a user's location using internet protocol or a  
10 successor protocol, including any such service that permits a user to  
11 receive calls from the public switched telephone network and terminate  
12 calls to the public switched telephone network; and

13            (ii) Uses a broadband connection from the user's location.

14            (b) "Internet protocol-enabled service" means a service,  
15 capability, functionality, or application that is provided using  
16 internet protocol or a successor protocol to enable an end user to send  
17 or receive data, video, or voice communications in internet protocol  
18 format or a successor format.

1           (2) Notwithstanding any other provision of law, a department,  
2 agency, commission, or political subdivision of this state may not  
3 enact or enforce, either directly or indirectly, any law, rule,  
4 regulation, standard, order, or other provision having the force or  
5 effect of law that regulates, or has the effect of regulating:

6           (a) The rates of voice over internet protocol service or internet  
7 protocol-enabled service;

8           (b) The terms and conditions of service of voice over internet  
9 protocol service or internet protocol-enabled service; or

10          (c) The entry into the market of voice over internet protocol  
11 service or internet protocol-enabled service.

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