
HOUSE BILL 1051

State of Washington

69th Legislature

2025 Regular Session

By Representatives Walsh, Penner, Jacobsen, and Couture

Prefiled 12/12/24. Read first time 01/13/25. Referred to Committee on Education.

1 AN ACT Relating to recording of individualized education program
2 team meetings; amending RCW 9.73.030; and adding a new section to
3 chapter 28A.155 RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 28A.155
6 RCW to read as follows:

7 (1) Notwithstanding RCW 9.73.030, parents or guardians of a
8 student have the right to audio record their student's individualized
9 education program team meetings.

10 (2) Except as provided under subsection (1) of this section,
11 members of a student's individualized education program team must
12 comply with RCW 9.73.030 when recording an individualized education
13 program team meeting.

14 **Sec. 2.** RCW 9.73.030 and 2021 c 329 s 21 are each amended to
15 read as follows:

16 (1) Except as otherwise provided in this chapter, it shall be
17 unlawful for any individual, partnership, corporation, association,
18 or the state of Washington, its agencies, and political subdivisions
19 to intercept, or record any:

1 (a) Private communication transmitted by telephone, telegraph,
2 radio, or other device between two or more individuals between points
3 within or without the state by any device electronic or otherwise
4 designed to record and/or transmit said communication regardless how
5 such device is powered or actuated, without first obtaining the
6 consent of all the participants in the communication;

7 (b) Private conversation, by any device electronic or otherwise
8 designed to record or transmit such conversation regardless how the
9 device is powered or actuated without first obtaining the consent of
10 all the persons engaged in the conversation.

11 (2) Notwithstanding subsection (1) of this section, wire
12 communications or conversations (a) of an emergency nature, such as
13 the reporting of a fire, medical emergency, crime, or disaster, or
14 (b) which convey threats of extortion, blackmail, bodily harm, or
15 other unlawful requests or demands, or (c) which occur anonymously or
16 repeatedly or at an extremely inconvenient hour, or (d) which relate
17 to communications by a hostage holder or barricaded person as defined
18 in RCW 70.85.100, whether or not conversation ensues, may be recorded
19 with the consent of one party to the conversation.

20 (3) Where consent by all parties is needed pursuant to this
21 chapter, consent shall be considered obtained whenever one party has
22 announced to all other parties engaged in the communication or
23 conversation, in any reasonably effective manner, that such
24 communication or conversation is about to be recorded or transmitted:
25 PROVIDED, That if the conversation is to be recorded that said
26 announcement shall also be recorded.

27 (4) An employee of any regularly published newspaper, magazine,
28 wire service, radio station, or television station acting in the
29 course of bona fide news gathering duties on a full-time or
30 contractual or part-time basis, shall be deemed to have consent to
31 record and divulge communications or conversations otherwise
32 prohibited by this chapter if the consent is expressly given or if
33 the recording or transmitting device is readily apparent or obvious
34 to the speakers. Withdrawal of the consent after the communication
35 has been made shall not prohibit any such employee of a newspaper,
36 magazine, wire service, or radio or television station from divulging
37 the communication or conversation.

38 (5) This section does not apply to the recording of custodial
39 interrogations pursuant to RCW 10.122.040.

1 (6) This section does not apply to the audio recording of
2 individualized education program team meetings by a student's parent
3 or guardian pursuant to section 1(1) of this act.

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