

## **INTERNET PRIVACY ACT**

**House Bill 5356**

**Sponsor: Rep. Lingg Brewer**

**Committee: Advanced Technology and  
Computer Development**

**Complete to 1-15-98**

### **A SUMMARY OF HOUSE BILL 5356 AS INTRODUCED 11-6-97**

The bill would create the Internet Privacy Act to prohibit interactive computer services from disclosing personally identifiable information of subscribers to third parties without written consent. A subscriber could bring a civil suit for relief against a service for a violation of the bill. An "interactive computer service" would be defined as an information distribution system that provided access to the Internet through a modem to more than one person at a time. "Personally identifiable information" would be defined as data that enabled a specific person to be identified and would include, but not be limited to, the individual's name, Social Security number, driver's license number, personal identification card number, telephone number, address, electronic mail address, photograph, and digital or electronic image. A "subscriber" would be an individual who had provided personally identifiable information about himself or herself to a service.

Under the bill, an interactive computer service or its employees could not disclose personally identifiable information about a subscriber unless the subscriber provided the service with written consent to do so. "Informed written consent" would mean a written statement freely signed by a subscriber that identified his or her rights under the bill and that specifically authorized a service to disclose his or her personally identifiable information to third parties. In addition, a service or its employees could not knowingly falsify personally identifiable information about a subscriber or disclose information to a third party that the service knew was false. If a subscriber requested, a service would have to provide the subscriber with his or her personally identifiable information, permit the subscriber to verify the information, and permit the subscriber to correct errors contained in the information. Also upon request, the service would have to provide the subscriber, at no charge, with the identity of each third party to whom the service had released his or her information.

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