INTERNET PRIVACY ACT

House Bill 4680
Sponsor: Rep. Rose Bogardus
Committee: Commerce

Complete to 7-31-01

A SUMMARY OF HOUSE BILL 4680 AS INTRODUCED 5-1-01

The bill would create the Internet Privacy Act to regulate Internet service providers and certain Internet users by restricting the unauthorized release of certain personal information, and to provide for penalties and remedies for violations.

An Internet service provider would be prohibited from keeping any records of customers' browsing patterns or selling or distributing such information without first obtaining written permission. If the provider was notified of a customer's desire to not have his or her browsing patterns tracked, the provider would be prohibited from keeping such records. An Internet service provider would also be prohibited from divulging a customer's electronic mail messages without the person's written authorization to do so. A violation would result in a misdemeanor punishable by up to 90 days imprisonment or up to a $1,000 fine, or both.

The bill would also prohibit a person or any other legal entity from placing an individual's "personal nonpublic information" on the Internet or otherwise distributing or using such information with the intent to cause the individual physical or financial harm. ("Personal nonpublic information" would mean personal information, such as a Social Security number, home address, business address, electronic mail address, telephone number, or medical information, that the person has not given written authorization to disclose.) A violation would be a misdemeanor punishable by up to six months imprisonment, a fine of up to $5,000, or both. Anyone who suffered injuries due to such a violation could file a civil suit to recover damages and reasonable attorney fees.

House Bill 4680 (7-31-01)

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