

FORMATTING NOTE:

In initiatives, legislative bills and other proposed measures, language that is to be deleted from current statutes is represented by a "strikethrough" character and language that is to be added is underlined. Because these special characters cannot be formatted in all Internet browsers, a different set of symbols is used for presenting these proposals on-line. The symbols are as follows:

- Text that is surrounded by (~~{- text here -}~~) is text that will be DELETED FROM the existing statute if the proposed measure is approved.
- Text that is surrounded by {+ text here +} is text that will be ADDED TO the existing statute if the proposed measure is approved.
- {+ NEW SECTION+} (found at the beginning of a section or paragraph) indicates that ALL of the text in that section will become law if the proposed measure is approved.

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INITIATIVE 213

AN ACT Relating to privacy; amending RCW 9.73.060; adding a new section to chapter 9.73 RCW; and prescribing penalties.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF WASHINGTON:

{+ NEW SECTION. +} Sec. 1. A new section is added to chapter 9.73 RCW to read as follows:

(1) Except as otherwise provided in this section, it is unlawful for anyone to install a camera in, or attach a camera to any part of the following structures, buildings, or places, whether the camera is visible or concealed, if the camera provides a view of the interior of any of the following structures, buildings, or places:

- (a) Retail store dressing rooms and other clothes changing rooms;
- (b) Hotel or motel rooms;
- (c) Any form of housing, within the residential housing unit, except by the occupant or occupants of such housing who rent, lease, or own the housing unit;
- (d) Any form of office space, or business premises, within the office space or business premises, except by the occupant or occupants who rent, lease, or own the office space or business premises;
- (e) Safe deposit box private viewing rooms, whether in a bank, savings and loan, or any other building;
- (f) Locker rooms or public restrooms;
- (g) Any portion of a tanning room or tanning bed where people disrobe or are disrobed.

(2) Except as otherwise provided in this section, it is unlawful for anyone to view, photograph, film, transmit, or record any images or events from any camera described in subsection (1) of this section.

(3) Law enforcement officers are exempt from this section during a lawful criminal investigation.

(4) For the purposes of this section, "camera" means any device that makes any photograph, motion picture film, video, or other recording or transmission of an image, whether moving or still. "Photograph" includes any image on a monitor screen, whether it is recorded or not.

(5)(a) A person or entity who violates subsection (1)(a), (e), (f), or (g) of this section is guilty of a gross misdemeanor punishable

according to chapter 9A.20 RCW.

(b) A person or entity who violates subsection (1)(b), (c), or (d) of this section is guilty of a class C felony punishable according to chapter 9A.20 RCW.

(6) This section does not limit the right of (a) the media in performing their video newsgathering functions, (b) employers to video monitor their employees in the workplace except as provided in this section, (c) hotels, motels, or multi-unit housing complexes to video monitor common areas such as hallways, recreational areas, or outdoor areas.

Sec. 2. RCW 9.73.060 and 1977 ex.s. c 363 s 2 are each amended to read as follows:

Any person who, directly or by means of a detective agency or any other agent, violates the provisions of this chapter shall be subject to legal action for damages, to be brought by any other person claiming that a violation of this statute has injured his {+ or her +} business, (({- his -})) person, or (({- his -})) reputation. A person so injured shall be entitled to{+ : (1)(a) A +}ctual damages, including mental pain and suffering endured by him {+ or her +} on account of violation of the provisions of this chapter(({- , -}))){+ ; +} or {+ (b) +} liquidated damages {+ not to exceed two hundred fifty thousand dollars for a violation of section 1 of this act, or for any other violation of this chapter liquidated damages +} computed at the rate of one hundred dollars a day for each day of violation, not to exceed one thousand dollars(({- , -}))){+ ; +} and (({- a -})) {+ (2) +} reasonable attorney's fee{+ s +} and other costs of litigation.

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