

2 **SHB 1495 - H AMD 0031 ADOPTED 2/10/92**

3 By Representatives Heavey, Basich, Fuhrman and Vance

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5 On page 17, beginning on line 4, strike all of section 10 and  
6 insert the following:

7 "Sec. 10. RCW 58.19.270 and 1973 1st ex.s. c 12 s 27 are each  
8 amended to read as follows:

9 (1) The commission by any person of an act or practice prohibited  
10 by this chapter is hereby declared to be a matter affecting the public  
11 interest for the purpose of applying chapter 19.86 RCW and is not  
12 reasonable in relation to the development and preservation of business.  
13 A violation of this chapter constitutes an unfair or deceptive act or  
14 practice or unfair method of competition in the conduct of trade or  
15 commerce for the purpose of the ((application of)) attorney general  
16 bringing an action in the name of the state under the consumer  
17 protection act, ((chapter 19.86 RCW, as now or hereafter amended))  
18 pursuant to RCW 19.86.080.

19 (2) ((The director may refer such)) Evidence ((as may be available  
20 to him)) concerning violations of this chapter ((or of any rule or  
21 regulation adopted hereunder)) may be referred to the attorney general  
22 ((or the prosecuting attorney of the county wherein the alleged  
23 violation arose)), who may, in ((their)) his or her discretion, with or  
24 without such a reference, in addition to any other action ((they)) the  
25 attorney general might commence, bring an action in the name of the  
26 state against any person to restrain and prevent the doing of any act  
27 or practice prohibited by this chapter((:—PROVIDED, That)). This  
28 chapter shall be considered in conjunction with chapters 9.04 and 19.86

1 RCW, (~~as now or hereafter amended,~~) and the powers and duties of the  
2 attorney general (~~and the prosecuting attorney~~) as (~~they may~~) such  
3 powers and duties appear in (~~the aforementioned~~) chapters(~~(7)~~) 9.04  
4 and 19.86 RCW shall apply against all persons subject to this chapter.

5 (3) Only the attorney general can bring an action under the  
6 consumer protection act, chapter 19.86 RCW, pursuant to this section."