
HOUSE BILL 3186

State of Washington 58th Legislature 2004 Regular Session

By Representatives Hudgins, Conway, Romero and Hunt

Read first time 02/05/2004. Referred to Committee on Commerce & Labor.

1 AN ACT Relating to consumer knowledge of contact center operations;
2 adding a new chapter to Title 19 RCW; and providing an effective date.

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

4 NEW SECTION. **Sec. 1.** The legislature finds that consumers
5 increasingly use telephonic and electronic communications to purchase
6 goods and services, inquire about their accounts, and obtain technical
7 support or other information. Most telephonic and electronic customer
8 service transactions are provided by customer service or sales
9 representatives located in centralized contact centers. Many
10 businesses do not operate their own customer sales and service
11 operations, but contract with third party contact centers that
12 misrepresent themselves as the businesses themselves. Contact centers
13 may be subject to different privacy and security standards depending on
14 their location. The legislature also finds that consumer rights when
15 dealing with contact centers need greater protection. Consumers have
16 a right to know who they have contacted, to know where they are
17 located, to receive truthful information, and to engage in secure
18 financial transactions. For these reasons, the legislature hereby

1 establishes standards governing contact centers to strengthen consumer
2 rights to choose, to be informed, and to protect the privacy and
3 security of their personal information.

4 NEW SECTION. **Sec. 2.** The definitions in this section apply
5 throughout this chapter unless the context clearly requires otherwise.

6 (1) "Contact center" means a physical or electronic operation that
7 uses telephonic or electronic communications in one or more of the
8 following activities: (a) Providing customer services, including
9 information about customer accounts; (b) soliciting sales; (c)
10 reactivating dormant accounts; (d) conducting surveys or research; (e)
11 collecting receivables; (f) taking or receiving reservations; or (g)
12 taking or receiving orders.

13 (2) "Personal information" means personally identifiable
14 information that is provided by a person to a contact center, which
15 includes, but is not limited to, a person's name, address, telephone
16 number, electronic mail address, social security number, or credit or
17 other financial information.

18 NEW SECTION. **Sec. 3.** At the request of a party using telephonic
19 or electronic communications with an employee of a contact center, the
20 employee must identify: (1) The name and location of his or her
21 employer; and (2) if applicable, the name, location, and telephone
22 number of the entity contracting with the contact center.

23 NEW SECTION. **Sec. 4.** An employee at a contact center may not
24 solicit any personal information, whether using telephonic or
25 electronic communications, unless the employee first informs the party
26 that disclosing that information to the employee is optional and
27 receives the affirmative consent of the party to whom the information
28 relates.

29 NEW SECTION. **Sec. 5.** If an entity offering goods for sale in this
30 state contracts with any contact centers:

- 31 (1) The terms of the contract must include a requirement that the
32 contact center comply with sections 3 and 4 of this act; and
33 (2) The entity must disclose the locations of the contact centers

1 in a notice to buyers. The notice must be printed in twelve-point type
2 or larger, and must clearly and conspicuously set forth the locations
3 of any contact centers.

4 NEW SECTION. **Sec. 6.** The legislature finds that the practices
5 covered by this chapter are matters vitally affecting the public
6 interest for the purpose of applying the consumer protection act,
7 chapter 19.86 RCW. Violations of this chapter are not reasonable in
8 relation to the development and preservation of business. A violation
9 of this chapter is an unfair or deceptive act in trade or commerce and
10 an unfair method of competition for the purpose of applying the
11 consumer protection act, chapter 19.86 RCW.

12 NEW SECTION. **Sec. 7.** If any provision of this act or its
13 application to any person or circumstance is held invalid, the
14 remainder of the act or the application of the provision to other
15 persons or circumstances is not affected.

16 NEW SECTION. **Sec. 8.** This act takes effect July 1, 2009.

17 NEW SECTION. **Sec. 9.** Sections 1 through 8 of this act constitute
18 a new chapter in Title 19 RCW.

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