

HB 1888-S2.E - DIGEST

(DIGEST AS ENACTED)

Declares that it is a violation of chapter 19.190 RCW to solicit, request, or take any action to induce a person to provide personally identifying information by means of a web page, electronic mail message, or otherwise using the internet by representing oneself, either directly or by implication, to be another person, without the authority or approval of such other person.

Provides that a person who is injured under chapter 19.190 RCW may bring a civil action in the superior court to enjoin further violations, and to seek up to five hundred dollars per violation, or actual damages, whichever is greater.

Provides that a person engaged in the business of providing internet access service to the public, an owner of a web page, or trademark owner who is adversely affected by reason of a violation of this act, may bring an action against a person who violates this act to: (1) Enjoin further violations of this act; and

(2) Recover the greater of actual damages or five thousand dollars per violation of this act.

Finds that the practices covered by this chapter are matters vitally affecting the public interest for the purpose of applying the consumer protection act, chapter 19.86 RCW. A violation of this chapter is not reasonable in relation to the development and preservation of business, and is an unfair or deceptive act in trade or commerce and an unfair method of competition for the purpose of applying the consumer protection act, chapter 19.86 RCW.

Declares an intent that chapter 19.190 RCW is a matter of statewide concern. This chapter supersedes and preempts all rules, regulations, codes, ordinances, and other laws adopted by a city, county, city and county, municipality, or local agency regarding the practices covered by this chapter and notices to consumers from computer software providers regarding information collection.