

EHB 1422 - S COMM AMD
By Committee on Commerce & Labor

ADOPTED 4/14/2015

1 Strike everything after the enacting clause and insert the
2 following:

3 "Sec. 1. RCW 19.160.010 and 1999 c 156 s 1 are each amended to
4 read as follows:

5 The definitions in this section apply throughout this chapter
6 unless the context clearly requires otherwise.

7 (1) "Local telephone directory" means a publication listing
8 telephone numbers for various businesses in a certain geographic area
9 and distributed free of charge to some or all telephone subscribers
10 in that area.

11 (2) "Local telephone number" means a ~~((telephone number that can
12 be dialed without incurring long distance charges from telephones
13 located within the area covered by the local telephone directory in
14 which the number is listed. The term does not include long distance
15 numbers, toll-free numbers, or 900 exchange numbers listed in a local
16 telephone directory))~~ specific telephone number, area code and
17 prefix, assigned for the purpose of completing local calls between a
18 calling party or station and any other party or station within a
19 designated exchange or all of its designated local calling areas. The
20 term "local telephone number" does not include long distance
21 telephone numbers or any toll-free telephone numbers listed in a
22 local telephone directory.

23 (3) "Person" means an individual, partnership, limited liability
24 partnership, corporation, or limited liability corporation.

25 "Sec. 2. RCW 19.160.030 and 1999 c 156 s 2 are each amended to
26 read as follows:

27 ~~((No person engaged in the selling, delivery, or solicitation of
28 cut flowers, flower arrangements, or floral products may misrepresent
29 his, her, or its geographic location by:~~

30 ~~(1) Listing a local telephone number in a local telephone
31 directory if:~~

1 ~~(a) Calls to the telephone number are routinely forwarded or~~
2 ~~otherwise transferred to a business location that is outside the~~
3 ~~calling area covered by the local telephone directory; and~~

4 ~~(b) The listing fails to conspicuously disclose the locality and~~
5 ~~state in which the business is located; or~~

6 ~~(2) Listing a business name in a local telephone directory if:~~

7 ~~(a) The name misrepresents the business's geographic location;~~
8 ~~and~~

9 ~~(b) The listing fails to disclose the locality and state in which~~
10 ~~the business is located.)~~) (1) For purposes of this section, "floral

11 or ornamental products or services" means floral arrangements, cut
12 flowers, floral bouquets, potted plants, balloons, floral designs,
13 and related products and services.

14 (2) It is a violation for a provider or vendor of floral or
15 ornamental products or services to misrepresent the geographic
16 location of its business by doing either of the following:

17 (a) Listing a local telephone number in any advertisement or
18 listing, unless the advertisement or listing identifies the true
19 physical address, including the city, of the provider's or vendor's
20 business; or

21 (b) Listing a fictitious business name or an assumed business
22 name in any advertisement or listing if both of the following
23 criteria are met:

24 (i) The name of the business misrepresents the provider's or
25 vendor's geographic location; and

26 (ii) The advertisement or listing does not identify the true
27 physical address, including the city and state, of the provider's or
28 vendor's business.

29 (3) A violation of this section is punishable, exclusively, by a
30 fine not to exceed two hundred fifty dollars.

31 (4) This section does not create or impose any duty or obligation
32 on a person other than a vendor or provider of floral or ornamental
33 products or services.

34 (5) This section does not apply to any of the following:

35 (a) A publisher of a telephone directory or other publication or
36 a provider of a directory assistance service publishing or providing
37 information about another business.

38 (b) An internet web site that aggregates and provides information
39 about other businesses.

- 1 (c) An owner or publisher of a print advertising medium providing
2 information about other businesses.
3 (d) An internet service provider.
4 (e) An internet service that displays or distributes
5 advertisements for other businesses."

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6 On page 1, line 2 of the title, after "businesses;" strike the
7 remainder of the title and insert "amending RCW 19.160.010 and
8 19.160.030; and prescribing penalties."

EFFECT: Misrepresentation of geographic location is by (1) listing a local telephone number in any advertisement or listing, unless it identifies the true physical address or (2) listing a fictitious business name in any advertisement or listing if the name misrepresents the geographic location and the advertisement or listing does not identify the true physical address. The amendment also provides an exclusive fine for a violation; removes the requirement that the businesses must display either their business license number or UBI account number on business web sites and all advertising; and provides exceptions to the misrepresentation provisions for telephone directory publishers, web site aggregators, advertising publishers, internet service providers, and internet services displaying and distributing advertisements for other businesses.

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