

SENATE BILL REPORT

SB 5530

As of January 30, 2015

Title: An act relating to revocation parity.

Brief Description: Concerning cancellation or revocation of product subscriptions.

Sponsors: Senators Fain, Mullet, Pedersen and Litzow.

Brief History:

Committee Activity: Commerce & Labor: 1/30/15.

SENATE COMMITTEE ON COMMERCE & LABOR

Staff: Richard Rodger (786-7461)

Background: Many retail products and merchandise are offered for sale to consumers by the method of a subscription service. When a consumer signs up for the service, the product or merchandise is automatically delivered to the consumer under a periodic schedule and the consumer is obligated to pay a pre-authorized charge. While these initial transactions can be authorized in person, by telephone, through the mail, or by electronic means, the selling entity may have a special process or method the consumer must use to terminate the service.

Summary of Bill: Any person who enters into a commercial transaction for a product that is delivered by subscription may cancel or revoke the product subscription by the same means as the original transaction occurred. The failure to allow the cancelation or revocation of a product subscription by the same means originally purchased is a violation of the Consumer Protection Act.

Any person suffering a financial injury for a violation may bring a civil action in superior court to enjoin further violations, to recover the actual damages sustained, together with the costs of the suit, including a reasonable attorney's fee. In addition the court may, in its discretion, increase the award of damages up to an amount not to exceed three times the actual damages sustained.

Appropriation: None.

Fiscal Note: Available.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: None.

Persons Testifying: No one.