
SENATE BILL 5271

State of Washington

66th Legislature

2019 Regular Session

By Senators Hunt and Rolfes

Read first time 01/16/19. Referred to Committee on Environment,
Energy & Technology.

1 AN ACT Relating to disclosing personal wireless service charges
2 or fees; amending RCW 80.36.530 and 80.36.510; and adding a new
3 section to chapter 80.36 RCW.

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

5 **Sec. 1.** RCW 80.36.530 and 1990 c 247 s 4 are each amended to
6 read as follows:

7 In addition to the penalties provided in this title, a violation
8 of RCW 80.36.510, 80.36.520, ~~((\oplus)) 80.36.524, or section 3 of this
9 act constitutes an unfair or deceptive act in trade or commerce in
10 violation of chapter 19.86 RCW, the consumer protection act. Acts in
11 violation of RCW 80.36.510, 80.36.520, ~~((\oplus)) 80.36.524, or section 3
12 of this act are not reasonable in relation to the development and
13 preservation of business, and constitute matters vitally affecting
14 the public interest for the purpose of applying the consumer
15 protection act, chapter 19.86 RCW. It shall be presumed that damages
16 to the consumer are equal to the cost of the service provided plus
17 two hundred dollars. Additional damages must be proved.~~~~

18 **Sec. 2.** RCW 80.36.510 and 1988 c 91 s 1 are each amended to read
19 as follows:

1 The legislature finds that a growing number of companies provide,
2 in a nonresidential setting, telecommunications services necessary to
3 long distance service without disclosing the services provided or the
4 rate, charge, or fee. Additionally, the legislature finds that
5 companies provide personal wireless services without disclosing the
6 services and the changes in services provided or the charge or fee.
7 The legislature finds that provision of these services without
8 disclosure to consumers is a deceptive trade practice.

9 NEW SECTION. Sec. 3. A new section is added to chapter 80.36
10 RCW to read as follows:

11 (1) The commission must by rule require, at a minimum, any
12 personal wireless service provider to clearly disclose in writing on
13 the consumer billing statement for the first:

14 (a) Four months after the time of sale, a description of the
15 service associated with each monthly charge or fee; and

16 (b) Three months after any service charge change, a description
17 of the service associated with each monthly charge or fee.

18 (2) For the purposes of this section, "personal wireless
19 services" has the same meaning as defined in RCW 80.36.375.

--- END ---