
SUBSTITUTE SENATE BILL 5207

State of Washington

69th Legislature

2025 Regular Session

By Senate Business, Financial Services & Trade (originally sponsored by Senators MacEwen, Dozier, Hasegawa, Nobles, and Valdez)

READ FIRST TIME 02/14/25.

1 AN ACT Relating to requiring refunds to consumers for early
2 cancellation of term-based subscriptions to electronic media
3 services; and adding a new chapter to Title 19 RCW.

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

5 NEW SECTION. **Sec. 1.** The definitions in this section apply
6 throughout this chapter unless the context clearly requires
7 otherwise.

8 (1) "Automatic renewal" means recurring monetary charges for
9 continuing provision of electronic media according to the terms of
10 the agreement or contract between the consumer and the electronic
11 media service without recurring affirmative consent or action by the
12 consumer, otherwise known as a negative option.

13 (2) "Cancellation" means the termination of a subscription by any
14 party thereto.

15 (3) "Consumer" means any person who has entered into an agreement
16 or contract with an electronic media service as herein defined.
17 "Consumer" does not include commercial businesses, government, or
18 nongovernmental organizations.

19 (4) "Electronic media" means any combination of intangible music,
20 news, or other intangible forms of information or entertainment.

1 (5) "Electronic media service" means any commercial service that
2 provides to consumers in exchange for money any combination of
3 intangible music, news, or other intangible forms of information or
4 entertainment.

5 (6) "Subscription" means an agreement or contract between a
6 consumer and an electronic media service, the primary consideration
7 of which is the provision of electronic media in exchange for money,
8 for a period of at least one year.

9 (7) "Refund" means a return to a consumer of some funds
10 previously paid by a consumer to an electronic media service under a
11 subscription.

12 (8) "Refund schedule" means the formula or basis on which an
13 electronic media service calculates amounts due back to a consumer
14 upon cancellation of a subscription, based on the amounts paid by the
15 consumer up to cancellation and upon charges agreed to by the
16 consumer.

17 NEW SECTION. **Sec. 2.** An electronic media service is in
18 violation of this chapter when it fails or refuses to issue a
19 subscription refund to a consumer as prescribed by this chapter.

20 NEW SECTION. **Sec. 3.** (1) Any cancellation of a subscription
21 subject to this act shall take effect at the end of the month in
22 which the cancellation occurred.

23 (2) An electronic media service shall disburse any refund due to
24 a consumer upon cancellation of a subscription. Such refund must be
25 calculated on a pro rata basis of time in which the subscription was
26 in effect until the end of the month in which the cancellation
27 occurred. Any refund due must be based on the amounts paid up to
28 cancellation and upon charges agreed to by the consumer.

29 NEW SECTION. **Sec. 4.** An electronic media service is in
30 violation of this chapter when it fails to do any of the following:

31 (1) Disclose to a consumer, upon or before initiating a
32 subscription, any applicable refund schedule including any
33 cancellation fees; and

34 (2) Disburse a subscription refund due to a consumer within a
35 reasonable time, not to exceed six months from the date of
36 cancellation.

1 NEW SECTION. **Sec. 5.** This chapter does not limit an electronic
2 media service from offering, nor a consumer from electing, automatic
3 renewal of any subscription. This chapter does not prohibit a
4 consumer from waiving a refund due in exchange for other
5 consideration.

6 NEW SECTION. **Sec. 6.** This chapter does not serve as the basis
7 for a private right of action under this chapter or any other law.

8 NEW SECTION. **Sec. 7.** (1) The legislature finds that the
9 practices covered by this chapter are matters vitally affecting the
10 public interest for the purpose of applying the consumer protection
11 act, chapter 19.86 RCW. A violation of this chapter is not reasonable
12 in relation to the development and preservation of business and is an
13 unfair or deceptive act in trade or commerce and an unfair method of
14 competition for the purpose of applying the consumer protection act,
15 chapter 19.86 RCW.

16 (2) Only the attorney general may bring an action, in the name of
17 the state, or as *parens patriae* on behalf of persons residing in the
18 state, to enforce this chapter.

19 NEW SECTION. **Sec. 8.** Sections 1 through 7 of this act
20 constitute a new chapter in Title 19 RCW.

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