
Commerce & Labor Committee

ESSB 5978

Brief Description: Establishing certain consumer rebate requirements.

Sponsors: Senate Committee on Labor, Commerce & Consumer Protection (originally sponsored by Senators Haugen and Kohl-Welles).

Brief Summary of Engrossed Substitute Bill

- Requires at least 14 days be allowed for the submission of a request for redemption of a consumer rebate.
- Requires that rebate funds be transmitted to a consumer within 90 days of the submission of a request for redemption of a consumer rebate.

Hearing Date: 3/20/09

Staff: Alison Hellberg (786-7152)

Background:

Under the Consumer Protection Act (CPA), various business practices are declared unlawful. These practices include engaging in unfair methods of competition, and unfair or deceptive acts or practices in the conduct of commerce. In addition to the acts declared unlawful by the CPA itself, other statutes elsewhere in the code declare violations of their provisions to be violations of the CPA. A party injured by a violation of the CPA may bring an action for damages. Recovery may include treble damages and reasonable attorneys' fees. In addition, the Attorney General may bring an action to restrain a person from violating the CPA.

Summary of Bill:

Any person who offers a consumer rebate must allow a minimum of 14 days from the date the consumer becomes eligible for the rebate for the submission of a request for redemption by the consumer. Upon receipt of a request for redemption meeting the terms and conditions of the rebate offer, the person offering or processing the rebate shall transmit the rebate funds to the

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consumer within 90 days. If the rebate is sent to the consumer as a check, the check must be mailed in a manner that identifies the piece of mail as the expected rebate check.

A violation of these provisions is a violation of the CPA.

Rules Authority: The bill does not address the rule-making powers of an agency.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.