5062-S2 AMH STOK BAKY 181

**2SSB 5062** - H AMD TO CRJ COMM AMD (H-1373.1/21) **712**

By Representative Stokesbary

On page 22, beginning on line 28 of the striking amendment, after "(1)" strike all material through "plaintiff" on page 23, line 7 and insert "A violation of this chapter may not serve as the basis for, or be subject to, a private right of action under this chapter or under any other law.

(2) Rights possessed by consumers as of July 1, 2020, under chapter 19.86 RCW, the Washington state Constitution, the United States Constitution, or other laws are not altered"

On page 23, beginning on line 8 of the striking amendment, after "(1)" strike all material through "act," on line 9 and insert "This"

On page 23, line 11 of the striking amendment, after "RCW." insert   
"In the case of a breach of the security of a system where personal information was, or is reasonably believed to have been, acquired by an unauthorized person and the personal information was not secured, as these terms are defined in RCW 19.255.005, it is the intent of the legislature that enforcement rights under RCW 19.255.040 remain available to both the attorney general and individual consumers in addition to the enforcement authority under this section."

|  |  |
| --- | --- |
|  | EFFECT:  Strikes all provisions related to the private right of action for certain violations and instead provides that a violation may not serve as the basis for, or be subject to, a private right of action under this or any other law. Provides that the rights possessed by consumers as of July 1, 2020, under the Consumer Protection Act, the Washington state Constitution, the United States Constitution, or other laws are not altered. Provides that enforcement rights under the data breach notification laws remain available to the Attorney General and individual consumers in the case of a breach of the security of a system where personal information was, or is reasonably believed to have been, acquired by an unauthorized person and the personal information was not secured. |

**--- END ---**