

CERTIFICATION OF ENROLLMENT

**ENGROSSED SENATE BILL 6427**

Chapter 43, Laws of 1992

52nd Legislature  
1992 Regular Session

UNSOLICITED GOODS OR SERVICES

EFFECTIVE DATE: 6/11/92

Passed by the Senate February 12, 1992  
Yeas 46 Nays 0

JOEL PRITCHARD

**President of the Senate**

Passed by the House March 5, 1992  
Yeas 97 Nays 0

JOE KING

**Speaker of the  
House of Representatives**

Approved March 26, 1992

BOOTH GARDNER

**Governor of the State of Washington**

CERTIFICATE

I, Gordon Golob, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **ENGROSSED SENATE BILL 6427** as passed by the Senate and the House of Representatives on the dates hereon set forth.

GORDON A. GOLOB

**Secretary**

FILED

March 26, 1992 - 11:31 a.m.

**Secretary of State  
State of Washington**

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ENGROSSED SENATE BILL 6427

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Passed Legislature - 1992 Regular Session

State of Washington                      52nd Legislature                      1992 Regular Session

By Senators Murray and Skratek

Read first time 01/29/92. Referred to Committee on Commerce & Labor.

1            AN ACT Relating to unauthorized mailings; amending RCW 19.56.020;  
2 and adding a new section to chapter 19.56 RCW.

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

4            **Sec. 1.** RCW 19.56.020 and 1967 c 57 s 1 are each amended to read  
5 as follows:

6            (~~Unless otherwise agreed, where~~) If unsolicited goods or services  
7 are (~~mailed~~) provided to a person, (~~he~~) the person has a right to  
8 accept (~~delivery of such~~) the goods or services as a gift only, and  
9 is not bound to return (~~such~~) the goods (~~to the sender~~) or  
10 services. Goods or services are not considered to have been solicited  
11 unless the recipient specifically requested, in an affirmative manner,  
12 the receipt of the goods or services according to the terms under which  
13 they are being offered. Goods or services are not considered to have  
14 been requested if a person fails to respond to an invitation to

1 purchase the goods or services and the goods or services are provided  
2 notwithstanding. If ((~~such~~)) the unsolicited goods or services are  
3 either addressed to or intended for the recipient, ((~~he~~)) the recipient  
4 may use them or dispose of them in any manner without any obligation to  
5 the ((~~sender~~)) provider, and in any action for goods or services sold  
6 and delivered, or in any action for the return of the goods, it ((~~shall~~  
7 ~~be~~)) is a complete defense that the goods or services were ((~~mailed~~))  
8 provided voluntarily and that the defendant did not ((~~actually~~))  
9 affirmatively order or request ((~~such~~)) the goods or services, either  
10 orally or in writing.

11 NEW SECTION. Sec. 2. A new section is added to chapter 19.56 RCW  
12 to read as follows:

13 Violation of RCW 19.56.020 is a matter affecting the public  
14 interest for the purpose of applying chapter 19.86 RCW. Failure to  
15 comply with this chapter is not reasonable in relation to the  
16 development and preservation of business. A violation of RCW 19.56.020  
17 constitutes an unfair or deceptive act or practice in trade or commerce  
18 for the purposes of applying chapter 19.86 RCW.

Passed the Senate February 12, 1992.

Passed the House March 5, 1992.

Approved by the Governor March 26, 1992.

Filed in Office of Secretary of State March 26, 1992.