
SENATE BILL 5301

State of Washington 55th Legislature 1997 Regular Session

By Senators Thibaudeau, Anderson, Heavey, Wojahn and Kohl

Read first time 01/22/97. Referred to Committee on Commerce & Labor.

1 AN ACT Relating to excessive charges for services because of the
2 customer's gender; amending RCW 19.86.090; and adding a new section to
3 chapter 19.86 RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 19.86 RCW
6 to read as follows:

7 (1) This act shall be known, and may be cited, as "the gender
8 equity in pricing act of 1997."

9 (2) It is unlawful for any person to charge more for a service
10 because of a person's gender.

11 (3) Nothing in subsection (2) of this section prohibits price
12 differences based specifically upon the amount of time, difficulty, or
13 cost of providing a service.

14 **Sec. 2.** RCW 19.86.090 and 1987 c 202 s 187 are each amended to
15 read as follows:

16 Any person who is injured in his or her business or property by a
17 violation of RCW 19.86.020, 19.86.030, 19.86.040, 19.86.050, ~~((or))~~
18 19.86.060, or section 1 of this act, or any person so injured because

1 he or she refuses to accede to a proposal for an arrangement which, if
2 consummated, would be in violation of RCW 19.86.030, 19.86.040,
3 19.86.050, (~~or~~) 19.86.060, or section 1 of this act, may bring a
4 civil action in the superior court to enjoin further violations, to
5 recover the actual damages sustained by him or her, or both, together
6 with the costs of the suit, including a reasonable attorney's fee, and
7 the court may in its discretion, increase the award of damages to an
8 amount not to exceed three times the actual damages sustained:
9 PROVIDED, That such increased damage award for violation of RCW
10 19.86.020 may not exceed ten thousand dollars: PROVIDED FURTHER, That
11 such person may bring a civil action in the district court to recover
12 his or her actual damages, except for damages which exceed the amount
13 specified in RCW 3.66.020, and the costs of the suit, including
14 reasonable attorney's fees. The district court may, in its discretion,
15 increase the award of damages to an amount not more than three times
16 the actual damages sustained, but such increased damage award shall not
17 exceed the amount specified in RCW 3.66.020. For the purpose of this
18 section "person" shall include the counties, municipalities, and all
19 political subdivisions of this state.

20 Whenever the state of Washington is injured by reason of a
21 violation of RCW 19.86.030, 19.86.040, 19.86.050, or 19.86.060, it may
22 sue therefor in the superior court to recover the actual damages
23 sustained by it and to recover the costs of the suit including a
24 reasonable attorney's fee.

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