

HOUSE BILL REPORT

SB 6366

As Passed House:
February 29, 2000

Title: An act relating to false advertising through electronic communication.

Brief Description: Prohibiting false advertising through electronic communication.

Sponsors: Senators Brown, Hochstatter, Roach, Spanel, Shin, Prentice, Costa, Kohl-Welles, McAuliffe, Fraser, Thibaudeau, B. Sheldon, T. Sheldon, Bauer, Eide, Jacobsen, Gardner, Haugen, Patterson, Rasmussen, Winsley and Oke.

Brief History:

Committee Activity:

Technology, Telecommunications & Energy: 2/22/00, 2/25/00 [DP].

Floor Activity:

Passed House: 2/29/00, 97-0.

<p style="text-align: center;">Brief Summary of Bill</p> <ul style="list-style-type: none">· It is a misdemeanor to publish or disseminate false, deceptive, or misleading advertising by electronic communications.

HOUSE COMMITTEE ON TECHNOLOGY, TELECOMMUNICATIONS & ENERGY

Majority Report: Do pass. Signed by 14 members: Representatives Crouse, Republican Co-Chair; Poulsen, Democratic Co-Chair; DeBolt, Republican Vice Chair; Ruderman, Democratic Vice Chair; Bush; Cooper; Delvin; Kastama; McDonald; Mielke; Morris; Reardon; Thomas and Wolfe.

Staff: Julia Harmatz (786-7135).

Background:

False advertising is a misdemeanor. The state attorney general or county prosecuting attorney can bring an action in superior court to prevent false advertising.

False, Misleading, or Deceptive Advertising

To publish or disseminate (by mail, telephone, or door to door) advertising for any property or service *with the knowledge* that the advertising is false, deceptive, or misleading, is a misdemeanor. Advertising in good faith (such as by radio, TV, newspaper, magazine) *without knowledge* of whether the advertising is false, deceptive, or misleading is exempted and is not a misdemeanor.

Misdemeanor

Any crime that is punishable by a fine of not more than \$1,000 or by imprisonment in a county jail for not more than 90 days, or both, is a misdemeanor. Gross misdemeanors are punishable by imprisonment for not more than one year, and a fine of not more than \$5,000, or both. All crimes other than felonies and misdemeanors are gross misdemeanors.

Summary of Bill:

It is a misdemeanor to publish or disseminate false, deceptive, or misleading advertising by electronic communications.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: This bill is needed. There is no definition of electronic communication.

Testimony Against: None.

Testified: Senator Lisa Brown, Sponsor.