

CERTIFICATION OF ENROLLMENT

ENGROSSED HOUSE BILL 1422

64th Legislature
2015 Regular Session

Passed by the House April 16, 2015
Yeas 96 Nays 0

Speaker of the House of Representatives

Passed by the Senate April 14, 2015
Yeas 44 Nays 5

President of the Senate

Approved

Governor of the State of Washington

CERTIFICATE

I, Barbara Baker, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED HOUSE BILL 1422** as passed by House of Representatives and the Senate on the dates hereon set forth.

Chief Clerk

FILED

**Secretary of State
State of Washington**

ENGROSSED HOUSE BILL 1422

AS AMENDED BY THE SENATE

Passed Legislature - 2015 Regular Session

State of Washington 64th Legislature 2015 Regular Session

By Representatives Scott, Griffey, and Condotta

Read first time 01/20/15. Referred to Committee on Business & Financial Services.

1 AN ACT Relating to misrepresentation of the geographic location
2 of floral product businesses; amending RCW 19.160.010 and 19.160.030;
3 and prescribing penalties.

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

5 **Sec. 1.** RCW 19.160.010 and 1999 c 156 s 1 are each amended to
6 read as follows:

7 The definitions in this section apply throughout this chapter
8 unless the context clearly requires otherwise.

9 (1) "Local telephone directory" means a publication listing
10 telephone numbers for various businesses in a certain geographic area
11 and distributed free of charge to some or all telephone subscribers
12 in that area.

13 (2) "Local telephone number" means a ~~((telephone number that can~~
14 ~~be dialed without incurring long distance charges from telephones~~
15 ~~located within the area covered by the local telephone directory in~~
16 ~~which the number is listed. The term does not include long distance~~
17 ~~numbers, toll-free numbers, or 900 exchange numbers listed in a local~~
18 ~~telephone directory)) specific telephone number, area code and~~
19 ~~prefix, assigned for the purpose of completing local calls between a~~
20 ~~calling party or station and any other party or station within a~~
21 ~~designated exchange or all of its designated local calling areas. The~~

1 term "local telephone number" does not include long distance
2 telephone numbers or any toll-free telephone numbers listed in a
3 local telephone directory.

4 (3) "Person" means an individual, partnership, limited liability
5 partnership, corporation, or limited liability corporation.

6 **Sec. 2.** RCW 19.160.030 and 1999 c 156 s 2 are each amended to
7 read as follows:

8 ~~((No person engaged in the selling, delivery, or solicitation of~~
9 ~~cut flowers, flower arrangements, or floral products may misrepresent~~
10 ~~his, her, or its geographic location by:~~

11 ~~(1) Listing a local telephone number in a local telephone~~
12 ~~directory if:~~

13 ~~(a) Calls to the telephone number are routinely forwarded or~~
14 ~~otherwise transferred to a business location that is outside the~~
15 ~~calling area covered by the local telephone directory; and~~

16 ~~(b) The listing fails to conspicuously disclose the locality and~~
17 ~~state in which the business is located; or~~

18 ~~(2) Listing a business name in a local telephone directory if:~~

19 ~~(a) The name misrepresents the business's geographic location;~~
20 ~~and~~

21 ~~(b) The listing fails to disclose the locality and state in which~~
22 ~~the business is located.)) (1) For purposes of this section, "floral~~

23 or ornamental products or services" means floral arrangements, cut
24 flowers, floral bouquets, potted plants, balloons, floral designs,
25 and related products and services.

26 (2) It is a violation for a provider or vendor of floral or
27 ornamental products or services to misrepresent the geographic
28 location of its business by doing either of the following:

29 (a) Listing a local telephone number in any advertisement or
30 listing, unless the advertisement or listing identifies the true
31 physical address, including the city, of the provider's or vendor's
32 business; or

33 (b) Listing a fictitious business name or an assumed business
34 name in any advertisement or listing if both of the following
35 criteria are met:

36 (i) The name of the business misrepresents the provider's or
37 vendor's geographic location; and

1 (ii) The advertisement or listing does not identify the true
2 physical address, including the city and state, of the provider's or
3 vendor's business.

4 (3) A violation of this section is punishable, exclusively, by a
5 fine not to exceed two hundred fifty dollars.

6 (4) This section does not create or impose any duty or obligation
7 on a person other than a vendor or provider of floral or ornamental
8 products or services.

9 (5) This section does not apply to any of the following:

10 (a) A publisher of a telephone directory or other publication or
11 a provider of a directory assistance service publishing or providing
12 information about another business.

13 (b) An internet web site that aggregates and provides information
14 about other businesses.

15 (c) An owner or publisher of a print advertising medium providing
16 information about other businesses.

17 (d) An internet service provider.

18 (e) An internet service that displays or distributes
19 advertisements for other businesses.

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