

CERTIFICATION OF ENROLLMENT

**ENGROSSED HOUSE BILL 1422**

Chapter 168, Laws of 2015

64th Legislature  
2015 Regular Session

FLORAL PRODUCTS BUSINESSES--MISREPRESENTATION OF GEOGRAPHIC LOCATION

EFFECTIVE DATE: 7/24/2015

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

FRANK CHOPP

**Speaker of the House of Representatives**

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

BRAD OWEN

**President of the Senate**

Approved May 6, 2015 2:30 PM

JAY INSLEE

**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.

BARBARA BAKER

**Chief Clerk**

FILED

May 6, 2015

**Secretary of State  
State of Washington**

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ENGROSSED HOUSE BILL 1422

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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.)~~

23 (1) For purposes of this section, "floral  
24 or ornamental products or services" means floral arrangements, cut  
25 flowers, floral bouquets, potted plants, balloons, floral designs,  
26 and related products and services.

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

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

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

37 (i) The name of the business misrepresents the provider's or  
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.

Passed by the House April 16, 2015.

Passed by the Senate April 14, 2015.

Approved by the Governor May 6, 2015.

Filed in Office of Secretary of State May 6, 2015.

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