

SENATE BILL REPORT

SB 6669

As Reported By Senate Committee On:
Labor, Commerce & Trade, February 1, 1996

Title: An act relating to excessive charges for products and services because of the customer's sex.

Brief Description: Prohibiting excessive charges for products and services because of the customer's sex.

Sponsors: Senators Thibaudeau, Drew, Pelz, Smith and Kohl.

Brief History:

Committee Activity: Labor, Commerce & Trade: 1/29/96, 2/1/96 [DPS, DNPS].

SENATE COMMITTEE ON LABOR, COMMERCE & TRADE

Majority Report: That Substitute Senate Bill No. 6669 be substituted therefor, and the substitute bill do pass.

Signed by Senators Pelz, Chair; Heavey, Vice Chair; Franklin, Fraser and Wojahn.

Minority Report: Do not pass substitute.

Signed by Senator Deccio.

Staff: Jonathan Seib (786-7427)

Background: The state's law against discrimination directs the Human Rights Commission to investigate and eliminate certain unfair practices based on a person's sex. A person found to have committed an unfair practice may be ordered to stop the practice, to pay actual damages, and to pay up to \$10,000 damages for humiliation and mental suffering.

Among the unfair practices enumerated in the law, none explicitly prohibit the practice of charging different prices for a product or service based on the purchaser's sex. There is concern that the current law does not prevent this practice from occurring.

Summary of Substitute Bill: It is an unfair practice for any person to charge more for a product or service because of a purchaser's sex.

Price differences based specifically on the amount of time, difficulty, or cost of providing a product or service are not prohibited.

The act does not affect laws governing insurer underwriting or rating practices.

Substitute Bill Compared to Original Bill: Language is clarified and changed to assure that the bill will not effect any underwriting or rating practices governed by the insurance code.

Appropriation: None.

Fiscal Note: Available.

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

Testimony For: Studies suggest that this is a pervasive problem. The bill would clarify existing law to explicitly prohibit price discrimination based on gender. The bill is simply a matter of fairness. Women, who generally earn less than men, should not have to pay more for identical products and services.

Testimony Against: None.

Testified: PRO: Senator Thibaudeau, prime sponsor; Idolina Reta, WA State Human Rights Commission; Majken Ryherd Keira, WA Women United; Lonnie Johns-Brown, WA State NOW; Judy Turpin, NW Women's Law Center.