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**HOUSE BILL 1099**

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**State of Washington 64th Legislature 2015 Regular Session**

**By** Representatives Morris and Appleton

AN ACT Relating to providing consumers the option to cancel contracts over the internet when entered into by the same means; adding a new chapter to Title 19 RCW; and prescribing penalties.

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

NEW SECTION. **Sec.**  The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Consumer" means a person who seeks or acquires a good or service that is to be used primarily for personal, family, or household purposes.

(2) "Internet" means a network or networks of interconnected computers and telecommunications facilities that employ the transmission control protocol/internet protocol, or any predecessor or successor protocols, to communicate information by wire, radio, optical, wireless spectrum, or similar means.

NEW SECTION. **Sec.**  (1) To the extent allowed by federal law, if a person offers a consumer the option of entering into a contract for goods or services through the internet and the contract contains a provision that allows the consumer the option to terminate the contract or terminate the services under the contract, the person offering the contract must also provide the consumer with the ability to terminate the contract or services under the contract through the same means by which the consumer had the option of entering into the contract.

(2) The requirements of this chapter apply only to a contract made, entered into, or renewed on or after the effective date of this section.

NEW SECTION. **Sec.**  (1) The legislature finds that the practices covered by this chapter are matters vitally affecting the public interest for the purpose of applying the consumer protection act, chapter 19.86 RCW. A violation of this chapter is not reasonable in relation to the development and preservation of business and is an unfair or deceptive act in trade or commerce and an unfair method of competition for the purpose of applying the consumer protection act, chapter 19.86 RCW.

(2) A consumer injured by a violation of this chapter may bring a civil action to recover from the person committing the violation the greater of:

(a) The damages provided in chapter 19.86 RCW; or

(b) One thousand dollars.

(3) A person who prevails in an action brought under this section is entitled to recover reasonable attorneys' fees, court costs, and reasonable costs incurred to enforce the judgment.

NEW SECTION. **Sec.**  Sections 1 through 3 of this act constitute a new chapter in Title 19 RCW.

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