**1155-S.E AMS MULL S2999.2 - NOT FOR FLOOR USE**

**ESHB 1155** - S AMD TO S AMD (S-2826.4/23) **299**

By Senator Mullet

**NOT ADOPTED 04/05/2023**

On page 3, line 15, after "that" strike "identifies" and insert "a regulated entity or a small business processes to identify"

On page 15, line 26, after "**Sec. 11.**" strike "The" and insert "(1) For actions brought by the attorney general to enforce this chapter, the"

On page 15, after line 33, insert the following:

"(2) Any consumer injured by a violation of this chapter may bring an action under chapter 19.86 RCW, but must establish all required elements of an action under chapter 19.86 RCW before relief may be granted."

EFFECT: (1) Revises the definition of "consumer health data" to provide that consumer health data is personal information that a regulated entity or a small business processes to identify a consumer's health, rather than personal information that identifies a consumer's health.

(2) Specifies that the legislative declarations that make a violation of the bill a per se violation of the Consumer Protection Act (CPA) apply in enforcement actions brought by the Attorney General.

(3) Provides that any consumer injured by a violation of the bill may bring an action under the CPA, but must establish all required elements of a CPA action before relief may be granted.