
HOUSE BILL 2225

State of Washington 52nd Legislature 1991 1st Special Session

By Representatives Belcher, Cole, Scott, R. Johnson, G. Fisher, R. Fisher and Fraser.

Read first time June 18, 1991. Referred to Committee on Commerce & Labor.

1 AN ACT Relating to unsolicited goods, wares, merchandise, and
2 services; amending RCW 19.56.020; and declaring an emergency.

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

4 **Sec. 1.** RCW 19.56.020 and 1967 c 57 s 1 are each amended to read
5 as follows:

6 (~~Unless otherwise agreed, where~~) Any person who receives
7 unsolicited goods ((are mailed to a person, he)), wares, merchandise,
8 or services, offered for sale, but not actually ordered or requested by
9 that person orally or in writing, has a right to accept delivery of
10 ((such)) those goods, wares, merchandise, or services as ((a)) an
11 unconditional gift ((only)), and is not bound to return ((such)) those
12 goods, wares, or merchandise to the sender, or to pay for the services.
13 ((If such)) A person who receives unsolicited goods ((are either
14 addressed to or intended for the recipient, he)), wares, merchandise,
15 or services may use them or dispose of them in any manner without any

1 obligation to the sender(~~(, and)~~) or provider. In any action for
2 goods, wares, merchandise, or services sold and delivered, or in any
3 action for the return of the goods, wares, or merchandise, or in any
4 action for the compensation for services, it shall be a complete
5 defense that the goods, wares, merchandise, or services were (~~mailed~~)
6 delivered or provided voluntarily and that the defendant did not
7 actually order or request (~~such~~) those goods, wares, merchandise, or
8 services, either orally or in writing.

9 NEW SECTION. Sec. 2. If any provision of this act or its
10 application to any person or circumstance is held invalid, the
11 remainder of the act or the application of the provision to other
12 persons or circumstances is not affected.

13 NEW SECTION. Sec. 3. This act is necessary for the immediate
14 preservation of the public peace, health, or safety, or support of the
15 state government and its existing public institutions, and shall take
16 effect immediately.