
SENATE BILL 5689

State of Washington

52nd Legislature

1991 Regular Session

By Senator Talmadge.

Read first time February 14, 1991. Referred to Committee on Law & Justice.

1 AN ACT Relating to consumer protection; and amending RCW 19.86.090.

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

3 **Sec. 1.** RCW 19.86.090 and 1987 c 202 s 187 are each amended to
4 read as follows:

5 Any person who is injured, directly or indirectly, in his or her
6 business or property by a violation of RCW 19.86.020, 19.86.030,
7 19.86.040, 19.86.050, or 19.86.060, or any person so injured because he
8 or she refuses to accede to a proposal for an arrangement which, if
9 consummated, would be in violation of RCW 19.86.030, 19.86.040,
10 19.86.050, or 19.86.060, may bring a civil action in the superior court
11 to enjoin further violations, to recover the actual damages sustained
12 by him or her, or both, together with the costs of the suit, including
13 a reasonable attorney's fee, and the court may in its discretion,
14 increase the award of damages to an amount not to exceed three times
15 the actual damages sustained: PROVIDED, That such increased damage

1 award for violation of RCW 19.86.020 may not exceed ten thousand
2 dollars: PROVIDED FURTHER, That such person may bring a civil action
3 in the district court to recover his or her actual damages, except for
4 damages which exceed the amount specified in RCW 3.66.020, and the
5 costs of the suit, including reasonable attorney's fees. The district
6 court may, in its discretion, increase the award of damages to an
7 amount not more than three times the actual damages sustained, but such
8 increased damage award shall not exceed the amount specified in RCW
9 3.66.020. For the purpose of this section "person" shall include the
10 counties, municipalities, and all political subdivisions of this state.

11 Whenever the state of Washington is injured, directly or
12 indirectly, by reason of a violation of RCW 19.86.030, 19.86.040,
13 19.86.050, or 19.86.060, it may sue therefor in the superior court to
14 recover the actual damages sustained by it and to recover the costs of
15 the suit including a reasonable attorney's fee.