

CERTIFICATION OF ENROLLMENT
ENGROSSED SUBSTITUTE SENATE BILL 5978

Chapter 374, Laws of 2009

61st Legislature
2009 Regular Session

CONSUMER REBATES

EFFECTIVE DATE: 07/26/09

Passed by the Senate April 21, 2009
YEAS 48 NAYS 0

BRAD OWEN

President of the Senate

Passed by the House April 7, 2009
YEAS 98 NAYS 0

FRANK CHOPP

Speaker of the House of Representatives

Approved May 6, 2009, 2:19 p.m.

CHRISTINE GREGOIRE

Governor of the State of Washington

CERTIFICATE

I, Thomas Hoemann, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE SENATE BILL 5978** as passed by the Senate and the House of Representatives on the dates hereon set forth.

THOMAS HOEMANN

Secretary

FILED

May 8, 2009

**Secretary of State
State of Washington**

ENGROSSED SUBSTITUTE SENATE BILL 5978

AS AMENDED BY THE HOUSE

Passed Legislature - 2009 Regular Session

State of Washington 61st Legislature 2009 Regular Session

By Senate Labor, Commerce & Consumer Protection (originally sponsored by Senators Haugen and Kohl-Welles)

READ FIRST TIME 02/25/09.

1 AN ACT Relating to consumer rebates; and adding a new chapter to
2 Title 19 RCW.

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

4 NEW SECTION. **Sec. 1.** As used in this chapter:

5 (1) "Person" has the same meaning as in RCW 19.86.010.

6 (2) "Rebate" means an offer to provide cash, credit, or credit
7 towards future purchases, that is offered to consumers who acquire or
8 purchase a specified product or service and that is conditioned upon
9 the customer submitting a request for redemption after satisfying the
10 terms and conditions of the offer. "Rebate" does not include: Any
11 discount from the purchase price that is taken at the time of purchase;
12 any discount, cash, credit, or credit towards a future purchase that is
13 automatically provided to a consumer without the need to submit a
14 request for redemption; or any refund that may be given to a consumer
15 in accordance with a company's return, guarantee, adjustment, or
16 warranty policies, or any company's frequent shopper customer reward
17 program.

1 NEW SECTION. **Sec. 2.** (1) Any person who offers a consumer rebate
2 shall allow a minimum of fourteen days from the date the consumer
3 purchases the product, or becomes eligible for the rebate upon
4 satisfying the terms and conditions of the offer, for the submission of
5 a request for redemption by the customer.

6 (2) Upon receipt of a request for redemption meeting the terms and
7 conditions of the rebate offer, the person offering the rebate shall
8 transmit the rebate funds to the consumer within ninety days.

9 (3) If a rebate is sent to a consumer as a check, the check must be
10 mailed in a manner that identifies the piece of mail as the expected
11 rebate check.

12 (4) This section applies only to the person offering the rebate,
13 which is the person who provides the cash, credit, or credit towards
14 future purchases to the consumer. This section does not apply to a
15 person who processes a rebate or who provides consumers with
16 instructions or materials related to a rebate.

17 NEW SECTION. **Sec. 3.** The legislature finds that the practices
18 covered by this chapter are matters vitally affecting the public
19 interest for the purpose of applying the consumer protection act,
20 chapter 19.86 RCW. A violation of this chapter is not reasonable in
21 relation to the development and preservation of business and is an
22 unfair or deceptive act in trade or commerce and an unfair method of
23 competition for the purpose of applying the consumer protection act,
24 chapter 19.86 RCW.

25 NEW SECTION. **Sec. 4.** Sections 1 through 3 of this act constitute
26 a new chapter in Title 19 RCW.

Passed by the Senate April 21, 2009.

Passed by the House April 7, 2009.

Approved by the Governor May 6, 2009.

Filed in Office of Secretary of State May 8, 2009.