S-0139.1

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**SENATE BILL 5271**

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**State of Washington 66th Legislature 2019 Regular Session**

**By** Senators Hunt and Rolfes

AN ACT Relating to disclosing personal wireless service charges or fees; amending RCW 80.36.530 and 80.36.510; and adding a new section to chapter 80.36 RCW.

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

**Sec.**  RCW 80.36.530 and 1990 c 247 s 4 are each amended to read as follows:

In addition to the penalties provided in this title, a violation of RCW 80.36.510, 80.36.520, ((~~or~~)) 80.36.524, or section 3 of this act constitutes an unfair or deceptive act in trade or commerce in violation of chapter 19.86 RCW, the consumer protection act. Acts in violation of RCW 80.36.510, 80.36.520, ((~~or~~)) 80.36.524, or section 3 of this act are not reasonable in relation to the development and preservation of business, and constitute matters vitally affecting the public interest for the purpose of applying the consumer protection act, chapter 19.86 RCW. It shall be presumed that damages to the consumer are equal to the cost of the service provided plus two hundred dollars. Additional damages must be proved.

**Sec.**  RCW 80.36.510 and 1988 c 91 s 1 are each amended to read as follows:

The legislature finds that a growing number of companies provide, in a nonresidential setting, telecommunications services necessary to long distance service without disclosing the services provided or the rate, charge, or fee. Additionally, the legislature finds that companies provide personal wireless services without disclosing the services and the changes in services provided or the charge or fee. The legislature finds that provision of these services without disclosure to consumers is a deceptive trade practice.

NEW SECTION. **Sec.**  A new section is added to chapter 80.36 RCW to read as follows:

(1) The commission must by rule require, at a minimum, any personal wireless service provider to clearly disclose in writing on the consumer billing statement for the first:

(a) Four months after the time of sale, a description of the service associated with each monthly charge or fee; and

(b) Three months after any service charge change, a description of the service associated with each monthly charge or fee.

(2) For the purposes of this section, "personal wireless services" has the same meaning as defined in RCW 80.36.375.

**--- END ---**