

2SSB 5062 - H AMD TO CRJ COMM AMD (H-1373.1/21) **712**

By Representative Stokesbary

1 On page 22, beginning on line 28 of the striking amendment, after
2 "(1)" strike all material through "plaintiff" on page 23, line 7 and
3 insert "A violation of this chapter may not serve as the basis for, or
4 be subject to, a private right of action under this chapter or under
5 any other law.

6 (2) Rights possessed by consumers as of July 1, 2020, under
7 chapter 19.86 RCW, the Washington state Constitution, the United
8 States Constitution, or other laws are not altered"

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10 On page 23, beginning on line 8 of the striking amendment, after
11 "(1)" strike all material through "act," on line 9 and insert "This"

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13 On page 23, line 11 of the striking amendment, after "RCW." insert
14 "In the case of a breach of the security of a system where personal
15 information was, or is reasonably believed to have been, acquired by
16 an unauthorized person and the personal information was not secured,
17 as these terms are defined in RCW 19.255.005, it is the intent of the
18 legislature that enforcement rights under RCW 19.255.040 remain
19 available to both the attorney general and individual consumers in
20 addition to the enforcement authority under this section."

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EFFECT: Strikes all provisions related to the private right of action for certain violations and instead provides that a violation may not serve as the basis for, or be subject to, a private right of action under this or any other law. Provides that the rights possessed by consumers as of July 1, 2020, under the Consumer Protection Act, the Washington state Constitution, the United States Constitution, or other laws are not altered. Provides that

enforcement rights under the data breach notification laws remain available to the Attorney General and individual consumers in the case of a breach of the security of a system where personal information was, or is reasonably believed to have been, acquired by an unauthorized person and the personal information was not secured.

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