

ESHB 1155 - S AMD TO S AMD (S-2826.4/23) **285**  
By Senator Mullet

WITHDRAWN 04/05/2023

1 On page 15, beginning on line 26, strike all of section 11 and  
2 insert the following:

3 "NEW SECTION. **Sec. 11.** (1) The legislature finds that the  
4 practices covered by this chapter are matters vitally affecting the  
5 public interest for the purpose of applying the consumer protection  
6 act, chapter 19.86 RCW. A violation of this chapter is not reasonable  
7 in relation to the development and preservation of business, and is  
8 an unfair or deceptive act in trade or commerce and an unfair method  
9 of competition for the purpose of applying the consumer protection  
10 act, chapter 19.86 RCW.

11 (2) The attorney general shall, prior to initiating any action  
12 for a violation of any provisions of this chapter, issue a notice of  
13 violation to the regulated entity, small business, or processor if  
14 the attorney general determines that a cure is possible. If the  
15 regulated entity, small business, or processor fails to cure such  
16 violation within 30 days of receipt of the notice of violation, the  
17 attorney general may bring an action pursuant to this section.  
18 Notwithstanding the foregoing, the attorney general shall not be  
19 required to provide a 30-day opportunity to cure if the alleged  
20 violation is the same as a previously addressed matter involving the  
21 same parties, and the decision has been resolved by an agreement  
22 between the parties or was adjudicated and a decision issued is  
23 final."

EFFECT: (1) Requires the Attorney General, prior to initiating an enforcement action, to provide a notice of the violation if the Attorney General determines a cure is possible.

(2) Authorizes the Attorney General to bring an action if the regulated entity, small business, or processor fails to cure the violation within 30 days.

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