

ESHB 1155 - S AMD TO S AMD (S-2826.4/23) **293**
By Senator Padden

NOT ADOPTED 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.** The attorney general shall, prior to
4 initiating any action for a violation of any provisions of this
5 chapter, issue a notice of violation to the regulated entity, small
6 business, or processor if the attorney general determines that a cure
7 is possible. If the regulated entity, small business, or processor
8 fails to cure such violation within 30 days of receipt of the notice
9 of violation, the attorney general may bring an action pursuant to
10 this section. Notwithstanding the foregoing, the attorney general
11 shall not be required to provide a 30-day opportunity to cure if the
12 alleged violation is the same as a previously addressed matter
13 involving the same parties, and the decision has been resolved by an
14 agreement between the parties or was adjudicated and a decision
15 issued is final."

EFFECT: (1) Removes provisions that make a violation of the bill
a per se violation of the Consumer Protection Act.

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

(3) 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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