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**SENATE BILL 5207**

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**State of Washington**

**69th Legislature**

**2025 Regular Session**

**By** Senator MacEwen

Prefiled 01/09/25.

1 AN ACT Relating to requiring refunds to consumers for early  
2 cancellation of term-based subscriptions to electronic media  
3 services; and adding a new chapter to Title 19 RCW.

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

5 NEW SECTION. **Sec. 1.** The definitions in this section apply  
6 throughout this chapter unless the context clearly requires  
7 otherwise.

8 (1) "Automatic renewal" means recurring monetary charges for  
9 continuing provision of electronic media according to the terms of  
10 the agreement or contract between the consumer and the electronic  
11 media service without recurring affirmative consent or action by the  
12 consumer, otherwise known as a negative option.

13 (2) "Cancellation" means the termination of a subscription by any  
14 party thereto.

15 (3) "Consumer" means any person who has entered into an agreement  
16 or contract with an electronic media service as herein defined.  
17 "Consumer" does not include commercial businesses, government, or  
18 nongovernmental organizations.

19 (4) "Electronic media" means any combination of intangible music,  
20 news, software, games, or other intangible forms of information or  
21 entertainment.

1 (5) "Electronic media service" means any commercial service that  
2 provides to consumers in exchange for money any combination of  
3 intangible music, news, software, games, or other intangible forms of  
4 information or entertainment.

5 (6) "Subscription" means an agreement or contract between a  
6 consumer and an electronic media service, the primary consideration  
7 of which is the provision of electronic media in exchange for money,  
8 for a set term of time or on a regularly recurring periodic basis  
9 such as month-to-month.

10 (7) "Refund" means a return to a consumer of some funds  
11 previously paid by a consumer to an electronic media service under a  
12 subscription.

13 (8) "Refund schedule" means the formula or basis on which an  
14 electronic media service calculates amounts due back to a consumer  
15 upon cancellation of a subscription, based on the amounts paid by the  
16 consumer up to cancellation and upon charges agreed to by the  
17 consumer.

18 NEW SECTION. **Sec. 2.** An electronic media service is in  
19 violation of this chapter when it fails or refuses to issue a  
20 subscription refund to a consumer as prescribed by this chapter.

21 NEW SECTION. **Sec. 3.** An electronic media service shall disburse  
22 any refund due to a consumer upon cancellation of a subscription.  
23 Such refund must be calculated on a pro rata basis of time in which  
24 the subscription was in effect until cancellation. Any refund due  
25 must be based on the amounts paid up to cancellation and upon charges  
26 agreed to by the consumer.

27 NEW SECTION. **Sec. 4.** An electronic media service is in  
28 violation of this chapter when it fails to do any of the following:

29 (1) Disclose to a consumer, upon or before initiating a  
30 subscription, any applicable refund schedule including any  
31 cancellation fees; and

32 (2) Disburse a subscription refund due to a consumer within a  
33 reasonable time, not to exceed six months from the date of  
34 cancellation.

35 NEW SECTION. **Sec. 5.** This chapter does not limit an electronic  
36 media service from offering, nor a consumer from electing, automatic

1 renewal of any subscription. This chapter does not prohibit a  
2 consumer from waiving a refund due in exchange for other  
3 consideration.

4 NEW SECTION. **Sec. 6.** This chapter does not serve as the basis  
5 for a private right of action under this chapter or any other law.

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

14 (2) Only the attorney general may bring an action, in the name of  
15 the state, or as *parens patriae* on behalf of persons residing in the  
16 state, to enforce this chapter.

17 NEW SECTION. **Sec. 8.** Sections 1 through 7 of this act  
18 constitute a new chapter in Title 19 RCW.

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