
SENATE BILL 5855

State of Washington

68th Legislature

2024 Regular Session

By Senator MacEwen

Prefiled 12/15/23.

1 AN ACT Relating to protecting consumers by requiring summaries
2 for certain agreements and policies presented in an electronic
3 format; 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 legislature finds that consumers are
6 frequently required to consent to lengthy and complex terms and
7 conditions before receiving access to software and other electronic
8 services. The legislature further finds that the length and
9 complexity of these agreements, as well as great disparities in
10 parties' bargaining power, often leads consumers to give consent
11 before reading or fully understanding the terms and conditions to
12 which they will agree. Therefore, the legislature concludes that
13 requiring certain agreements and policies to contain a short, easy-
14 to-understand summary of the agreement or policy will promote
15 fairness between consumers and service providers.

16 NEW SECTION. **Sec. 2.** (1) Any user agreement, end-user license
17 agreement, software-as-a-service agreement, or privacy policy,
18 presented in an electronic format, shall contain a plain-language
19 summary of the agreement or policy. The summary shall appear in a

1 conspicuous manner at the beginning of the agreement or policy and
2 shall not exceed 100 words.

3 (2) For the purposes of this section, "electronic" has the same
4 meaning as defined in RCW 1.80.010.

5 NEW SECTION. **Sec. 3.** (1) This chapter may be enforced solely by
6 the attorney general under the consumer protection act, chapter 19.86
7 RCW.

8 (2) In actions brought by the attorney general, the legislature
9 finds: (a) The practices covered by this chapter are matters vitally
10 affecting the public interest for the purpose of applying the
11 consumer protection act, chapter 19.86 RCW, and (b) a violation of
12 this chapter is not reasonable in relation to the development and
13 preservation of business, is an unfair or deceptive act in trade or
14 commerce, and an unfair method of competition for the purpose of
15 applying the consumer protection act, chapter 19.86 RCW.

16 (3) The legislative declarations in this section shall not apply
17 to any claim or action by any party other than the attorney general
18 alleging that conduct regulated by this chapter violates chapter
19 19.86 RCW, and this chapter does not incorporate RCW 19.86.093.

20 (4) A violation of this chapter may not serve as the basis for,
21 or be subject to, a private right of action under this chapter.

22 NEW SECTION. **Sec. 4.** This act shall not apply to agreements or
23 policies executed before the effective date of this section.

24 NEW SECTION. **Sec. 5.** Sections 1 through 4 of this act shall
25 constitute a new chapter in Title 19 RCW.

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