



2021 AG REQUEST LEGISLATION

ADJUST THE MAXIMUM CONSUMER PROTECTION AND ANTITRUST PENALTIES

What needs to change?

Only four states have consumer protection penalties lower than Washington. The \$2,000 penalty has been unchanged since it was enacted more than 50 years ago. Adjusted for inflation, the penalty should be \$13,350.

Antitrust penalties have been similarly stagnant. They have also remained unchanged since enacted in 1983. If adjusted for inflation, the \$500,000 penalty should be \$1.3 million.

Unlike nearly half of states, Washington has no special penalties when scammers target vulnerable consumers.

Unlike private litigants, when the Attorney General's Office brings a consumer protection or antitrust case unsuccessfully, the state is responsible for paying the defendant's legal bills. Most states do not allow such "fee shifting" in these cases.

What is the solution?

Adjust the maximum consumer protection and antitrust penalties so they have the same financial impact legislators originally intended. Enact enhanced penalties when consumer protection violations target vulnerable consumers in order to better protect all communities. Treat the state like private litigants and protect taxpayers from paying a defendant's legal bills in consumer protection cases.

What does this legislation do? - [SB 5025](#)

- Adjusts the maximum penalty for Consumer Protection Act violations for today's dollars: \$13,350 per violation.
- Adjusts the maximum penalty for business violating Washington's antitrust laws for today's dollars: \$1.3 million.
- Treats the state like private litigants and does not make the state automatically responsible for a defendant's legal bills in unsuccessful consumer protection lawsuits.
- Creates an enhanced penalty for consumer protection violations that target vulnerable communities.

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