

eighth day before the sale and once between the eleventh and seventh day before the sale.

Passed the House March 12, 1987.

Passed the Senate April 10, 1987.

Approved by the Governor May 13, 1987.

Filed in Office of Secretary of State May 13, 1987.

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## CHAPTER 353

[Substitute House Bill No. 601]

### CONVERSION OF GOODS, MERCHANDISE, OR SERVICES—LIABILITY AND REMEDIES REVISED

AN ACT Relating to hotels, motels, boarding houses, and lodging houses; and amending RCW 4.24.230.

Be it enacted by the Legislature of the State of Washington:

Sec. 1. Section 1, chapter 59, Laws of 1975 1st ex. sess. as last amended by section 1, chapter 126, Laws of 1981 and RCW 4.24.230 are each amended to read as follows:

(1) An adult or emancipated minor who takes possession of any goods, wares, or merchandise displayed or offered for sale by any wholesale or retail store or other mercantile establishment without the consent of the owner or seller, and with the intention of converting such goods, wares, or merchandise to his own use without having paid the purchase price thereof shall be liable in addition to actual damages, for a penalty to the owner or seller in the amount of the retail value thereof not to exceed one thousand dollars, plus an additional penalty of not less than one hundred dollars nor more than two hundred dollars, plus all reasonable attorney's fees and court costs expended by the owner or seller. A customer who orders a meal in a restaurant or other eating establishment, receives at least a portion thereof, and then leaves without paying, is subject to liability under this section. A person who shall receive any food, money, credit, lodging, or accommodation at any hotel, motel, boarding house, or lodging house, and then leaves without paying the proprietor, manager, or authorized employee thereof, is subject to liability under this section.

(2) The parent or legal guardian having the custody of an unemancipated minor who takes possession of any goods, wares, or merchandise displayed or offered for sale by any wholesale or retail store or other mercantile establishment without the consent of the owner or seller and with the intention of converting such goods, wares, or merchandise to his own use without having paid the purchase price thereof, shall be liable as a penalty to the owner or seller for the retail value of such goods, wares, or merchandise not to exceed five hundred dollars plus an additional penalty of not less than one hundred dollars nor more than two hundred dollars, plus all reasonable attorney's fees and court costs expended by the owner or

seller. The parent or legal guardian having the custody of an unemancipated minor, who orders a meal in a restaurant or other eating establishment, receives at least a portion thereof, and then leaves without paying, is subject to liability under this section. The parent or legal guardian having the custody of an unemancipated minor, who receives any food, money, credit, lodging, or accommodation at any hotel, motel, boarding house, or lodging house, and then leaves without paying the proprietor, manager, or authorized employee thereof, is subject to liability under this section. For the purposes of this subsection, liability shall not be imposed upon any governmental entity (~~(or private agency which has been)~~), private agency, or foster parent assigned responsibility for the minor child pursuant to court order or action of the department of social and health services.

(3) Judgments, but not claims, arising under this section may be assigned.

(4) A conviction for violation of chapter 9A.56 RCW or RCW 9.45-.040 shall not be a condition precedent to maintenance of a civil action authorized by this section.

(5) An owner or seller demanding payment of a penalty under subsection (1) or (2) of this section shall give written notice to the person or persons from whom the penalty is sought. The notice shall state:

"IMPORTANT NOTICE: The payment of any penalty demanded of you does not prevent criminal prosecution under a related criminal provision."

This notice shall be boldly and conspicuously displayed, in at least the same size type as is used in the demand, and shall be sent with the demand for payment of a penalty described in subsection (1) of (2) of this section.

Passed the House April 21, 1987.

Passed the Senate April 15, 1987.

Approved by the Governor May 13, 1987.

Filed in Office of Secretary of State May 13, 1987.

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## CHAPTER 354

[Substitute House Bill No. 116]

### LAND USE PLANNING—BINDING SITE PLANS—VACATIONS OR ALTERATIONS OF SUBDIVISIONS—SURVEYS—HEARINGS

AN ACT Relating to the administrative approval of plats; amending RCW 58.17.040 and 58.17.060; adding a new section to chapter 58.17 RCW; and repealing RCW 58.11.010, 58.11.020, 58.11.030, 58.11.040, 58.11.050, 58.12.010, 58.12.020, 58.12.030, 58.12.040, 58.12.050, 58.12.060, 58.12.065, 58.12.070, and 58.12.080.

Be it enacted by the Legislature of the State of Washington:

Sec. 1. Section 2, chapter 121, Laws of 1983 and RCW 58.17.040 are each amended to read as follows:

The provisions of this chapter shall not apply to: