

RCW 38.42.160 Termination or suspension of contracts upon receipt of military service orders. (1) A service member may, upon written notice, including electronic mail, terminate or suspend a contract described in subsection (2) of this section at any time after the date the service member receives military service orders:

(a) For a permanent change of station; or

(b) To deploy with a military unit, or as an individual in support of a military operation, for a period of not less than thirty days.

(2) For the purposes of this section, a contract includes the provision of any of the following:

(a) Telecommunication services from a telecommunications company, as defined in RCW 80.04.010, except as provided in subsection (7) of this section;

(b) Internet services provided from an internet service provider;

(c) Health studio services from a health studio, as defined in RCW 19.142.010; and

(d) Subscription television services, as defined in RCW 9A.56.010, from a television service provider.

(3) The service member must provide written proof to the service provider of the official orders showing that the service member has been called into military service:

(a) At the time written notice is given; or

(b) If precluded by military necessity or circumstances that make the provision of proof at the time of giving written notice unreasonable or impossible, within ninety days after written notice has been given.

(4) A termination or suspension of services under this section is effective on the day written notice is given under subsection (2) of this section. The termination or suspension of services does not eliminate or alter any contractual obligation to pay for services rendered before the effective date of the written notice, unless otherwise provided for by law.

(5) (a) A service member who terminates or suspends the provision of services under this section may upon giving written notice, including electronic mail, to the provider within ninety days after termination of the service member's military service, reinstate the provision of services:

(i) On the same terms and conditions as originally agreed upon with the service provider before the termination or suspension, if the service member was in military service no longer than twelve consecutive months; or

(ii) On the same terms and conditions that have been offered by the provider to any new consumer at the lowest discounted or promotional rate within the previous twelve-month period immediately before termination of the service member's military service, if the service member was in military service longer than twelve consecutive months.

(b) Upon receipt of the written notice of reinstatement, the service provider must resume the provision of services or, if the services are no longer available, provide substantially similar services within a reasonable period of time not to exceed thirty days from the date of receipt of the written notice of reinstatement.

(6) A service member who terminates, suspends, or reinstates the provision of services under this section:

(a) May not be charged a penalty, fee, loss of deposit, or any other additional cost because of the termination, suspension, or reinstatement; and

(b) Is not liable for payment for any services after the effective date of the termination or suspension, or until the effective date of a reinstatement of services as described in subsection (4) of this section.

(7) A service member may terminate a contract for any service provided by a commercial mobile radio services provider in accordance with 50 U.S.C. Sec. 3956. [2018 c 197 s 4.]