

Executive Summary: Health Impact Review of SSB 5171

Addressing consumer gender discrimination
(2023 Legislative Session)

Evidence indicates that SSB 5171 may lead to some Washington State consumers, retailers, businesses, and manufacturers becoming aware of the bill provisions, which may lead to some gendered pricing violations being filed, which may lead to some Consumer Protection Act violation penalties and/or direct restitution orders in Superior Court. It is not well researched how provisions may impact the change in prices of certain goods. Based on these findings, the pathway to health impacts could not be completed.

BILL INFORMATION

Sponsors: Dhingra, Trudeau, Hunt, Lovelett, Cleveland, Keiser, Wilson, C., Hasegawa, Saldaña, Conway, Frame, Kuderer, Nguyen, Nobles, Pedersen, Stanford, Valdez, Wellman

Summary of Bill:

- Prohibits price differences of two substantially similar goods due to the marketed and intended gender of the consumer.
- Does not prohibit price differences of goods and services for any gender-neutral reason.
- Allows the Washington State Office of the Attorney General (AGO) to petition the court for an order to enjoin and restrain violations of price prohibitions and conduct investigations to determine violations.
- Allows a court to issue an injunction where a violation has occurred and to require direct restitution.

HEALTH IMPACT REVIEW

Summary of Findings:

This Health Impact Review found the following evidence for provisions in SSB 5171:

- **Informed assumption** that 1) prohibiting price differences of two substantially similar goods due to the marketed and intended gender of the consumer, 2) allowing the AGO to petition the court for an order to enjoin and restrain violations of price prohibitions and conduct investigations to determine violations, and 3) allowing a court to issue an injunction where a violation has occurred and to require direct restitution may lead to some Washington State consumers, retailers, businesses, and manufacturers becoming aware of the changes to the law. This informed assumption is based on information from key informants and additional information from California, New York, and Florida.
- **Informed assumption** that some Washington State consumers, retailers, businesses, and manufacturers becoming aware of the changes to the law may lead to some gendered pricing violations filed with the AGO and some gendered pricing violations filed through civil litigation. This informed assumption is based on information from key informants.

For more information:
Phone: (360) 819-0750
Email: hir@sboh.wa.gov
sboh.wa.gov/hir

WASHINGTON STATE 
BOARD OF HEALTH

 **HEALTH
EQUITY**
Governor's Interagency Council
on Health Disparities

Executive Summary: Health Impact Review of SSB 5171

Addressing consumer gender discrimination (2023 Legislative Session)

- **Informed assumption** that some gendered pricing violations filed with the AGO and some gendered pricing violations filed through civil litigation may lead to some Washington State retailers, businesses, and manufacturers receiving Consumer Protection Act violation penalties and/or direct restitution orders in Superior Court. This informed assumption is based on information from key informants and published research on gendered price discrimination.
- **Not well researched** how some Washington State retailers, businesses, and manufacturers receiving Consumer Protection Act violation penalties and/or direct restitution orders in Superior Court may impact changes in prices of certain goods.

“Additional Considerations” includes potential impacts on consumer and business behaviors.

FULL REVIEW

For review methods, logic model, strength-of-evidence analyses, and citations of empirical evidence refer to the full Health Impact Review at:

<https://sboh.wa.gov/sites/default/files/2023-11/HIR-2024-02-SSB%205171a.pdf>

For more information:
Phone: (360) 819-0750
Email: hir@sboh.wa.gov
sboh.wa.gov/hir

WASHINGTON STATE 
BOARD OF HEALTH

 **HEALTH
EQUITY**
Governor's Interagency Council
on Health Disparities