S-0144.2

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**SENATE BILL 5362**

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**State of Washington 65th Legislature 2017 Regular Session**

**By** Senators Braun, Mullet, Baumgartner, Liias, and Rossi

AN ACT Relating to an exemption from unemployment compensation for certain providers of commercial transportation services; and amending RCW 50.04.100.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

**Sec.**  RCW 50.04.100 and 1982 1st ex.s. c 18 s 14 are each amended to read as follows:

"Employment," subject only to the other provisions of this title, means personal service, of whatever nature, unlimited by the relationship of master and servant as known to the common law or any other legal relationship, including service in interstate commerce, performed for wages or under any contract calling for the performance of personal services, written or oral, express or implied. However, for purposes of this title "employment" does not include services performed by a driver providing commercial transportation services as defined in RCW 48.177.005.

Except as provided by RCW 50.04.145, personal services performed for an employing unit by one or more contractors or subcontractors acting individually or as a partnership, which do not meet the provisions of RCW 50.04.140, shall be considered employment of the employing unit: PROVIDED, HOWEVER, That such contractor or subcontractor shall be an employer under the provisions of this title in respect to personal services performed by individuals for such contractor or subcontractor.

**--- END ---**