

CERTIFICATION OF ENROLLMENT

ENGROSSED HOUSE BILL 2487

53rd Legislature
1994 Regular Session

Passed by the House March 4, 1994
Yeas 96 Nays 0

**Speaker of the
House of Representatives**

Passed by the Senate March 4, 1994
Yeas 45 Nays 4

President of the Senate

Approved

Governor of the State of Washington

CERTIFICATE

I, Marilyn Showalter, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED HOUSE BILL 2487** as passed by the House of Representatives and the Senate on the dates hereon set forth.

Chief Clerk

FILED

**Secretary of State
State of Washington**

ENGROSSED HOUSE BILL 2487

Passed Legislature - 1994 Regular Session

State of Washington 53rd Legislature 1994 Regular Session

By Representatives Appelwick, Forner and Karahalios; by request of
Department of Social and Health Services

Read first time 01/17/94. Referred to Committee on Judiciary.

1 AN ACT Relating to employers in the standard industrial
2 classification; and amending RCW 26.23.040.

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

4 **Sec. 1.** RCW 26.23.040 and 1993 c 480 s 1 are each amended to read
5 as follows:

6 (1) Except as provided in subsection (3) of this section, all
7 employers doing business in the state of Washington, and to whom the
8 department of employment security has assigned the standard industrial
9 classification sic codes listed in subsection (2) of this section,
10 shall report to the Washington state support registry:

11 (a) The hiring of any person who resides or works in this state to
12 whom the employer anticipates paying earnings; and

13 (b) The rehiring or return to work of any employee who was laid
14 off, furloughed, separated, granted a leave without pay, or terminated
15 from employment.

16 (2) Employers in the standard industrial classifications that shall
17 report to the Washington state support registry include:

18 (a) Construction industry sic codes: 15, general building; ~~((and))~~
19 16, ~~((other than building))~~ heavy construction; and 17, special trades;

1 (b) Manufacturing industry sic code 37, transportation equipment;
2 (c) (~~Wholesale trade industry~~) Business services sic codes: 73,
3 (~~business services,~~) except sic code (~~(7362)~~) 7363 (temporary help
4 supply services); and health services sic code 80(~~(, health~~
5 ~~services))~~).

6 (3) Employers are not required to report the hiring of any person
7 who:

8 (a) Will be employed for less than one months duration;

9 (b) Will be employed sporadically so that the employee will be paid
10 for less than three hundred fifty hours during a continuous six-month
11 period; or

12 (c) Will have gross earnings less than three hundred dollars in
13 every month.

14 The secretary of the department of social and health services may
15 adopt rules to establish additional exemptions if needed to reduce
16 unnecessary or burdensome reporting.

17 (4) Employers may report by mailing the employee's copy of the W-4
18 form, or other means authorized by the registry which will result in
19 timely reporting.

20 (5) Employers shall submit reports within thirty-five days of the
21 hiring, rehiring, or return to work of the employee. The report shall
22 contain:

23 (a) The employee's name, address, social security number, and date
24 of birth; and

25 (b) The employer's name, address, and employment security reference
26 number or unified business identifier number.

27 (6) An employer who fails to report as required under this section
28 shall be given a written warning for the first violation and shall be
29 subject to a civil penalty of up to two hundred dollars per month for
30 each subsequent violation after the warning has been given. All
31 violations within a single month shall be considered a single violation
32 for purposes of assessing the penalty. The penalty may be imposed and
33 collected by the office of support enforcement under RCW 74.20A.270.

34 (7) The registry shall retain the information for a particular
35 employee only if the registry is responsible for establishing,
36 enforcing, or collecting a support obligation or debt of the employee.
37 If the employee does not owe such an obligation or a debt, the registry
38 shall not create a record regarding the employee and the information
39 contained in the notice shall be promptly destroyed. Prior to the

1 destruction of the notice, the department of social and health services
2 shall make the information contained in the notice available to other
3 state agencies, based upon the written request of an agency's director
4 or chief executive, specifically for comparison with records or
5 information possessed by the requesting agency to detect improper or
6 fraudulent claims. If, after comparison, no such situation is found or
7 reasonably suspected to exist, the information shall be promptly
8 destroyed by the requesting agency. Requesting agencies that obtain
9 information from the department of social and health services under
10 this section shall maintain the confidentiality of the information
11 received, except as necessary to implement the agencies'
12 responsibilities.

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