

CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 1250

Chapter 276, Laws of 1995

54th Legislature
1995 Regular Session

INDUSTRIAL INSURANCE AWARDS--REQUIRING PROMPT PAYMENT

EFFECTIVE DATE: 7/23/95

Passed by the House April 23, 1995
Yeas 96 Nays 0

CLYDE BALLARD

**Speaker of the
House of Representatives**

Passed by the Senate April 22, 1995
Yeas 47 Nays 0

JOEL PRITCHARD

President of the Senate

Approved May 9, 1995

MIKE LOWRY

Governor of the State of Washington

CERTIFICATE

I, Timothy A. Martin, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 1250** as passed by the House of Representatives and the Senate on the dates hereon set forth.

TIMOTHY A. MARTIN

Chief Clerk

FILED

May 9, 1995 - 3:38 p.m.

**Secretary of State
State of Washington**

SUBSTITUTE HOUSE BILL 1250

AS AMENDED BY THE SENATE

Passed Legislature - 1995 Regular Session

State of Washington 54th Legislature 1995 Regular Session

By House Committee on Commerce & Labor (originally sponsored by Representatives Cole, Cody, Conway, Basich, Scott, Costa and Chopp)

Read first time 03/01/95.

1 AN ACT Relating to prompt payment of industrial insurance awards;
2 adding a new section to chapter 51.32 RCW; and creating a new section.

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

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 51.32 RCW
5 to read as follows:

6 (1)(a) If the worker or beneficiary in a state fund claim prevails
7 in an appeal by any party to the board or the court, the department
8 shall comply with the board or court's order with respect to the
9 payment of compensation within the later of the following time periods:

10 (i) Sixty days after the compensation order has become final and is
11 not subject to review or appeal; or

12 (ii) If the order has become final and is not subject to review or
13 appeal and the department has, within the period specified in (a)(i) of
14 this subsection, requested the filing by the worker or beneficiary of
15 documents necessary to make payment of compensation, sixty days after
16 all requested documents are filed with the department.

17 The department may extend the sixty-day time period for an
18 additional thirty days for good cause.

1 (b) If the department fails to comply with (a) of this subsection,
2 any person entitled to compensation under the order may institute
3 proceedings for injunctive or other appropriate relief for enforcement
4 of the order. These proceedings may be instituted in the superior
5 court for the county in which the claimant resides, or, if the claimant
6 is not then a resident of this state, in the superior court for
7 Thurston county.

8 (2) In a proceeding under this section, the court shall enforce
9 obedience to the order by proper means, enjoining compliance upon the
10 person obligated to comply with the compensation order. The court may
11 issue such writs and processes as are necessary to carry out its orders
12 and may award a penalty of up to one thousand dollars to the person
13 entitled to compensation under the order.

14 (3) A proceeding under this section does not preclude other methods
15 of enforcement provided for in this title.

16 NEW SECTION. **Sec. 2.** This act applies to all appeals in state
17 fund claims determined under Title 51 RCW on or after the effective
18 date of this act, regardless of the date of filing of the claim.

Passed the House April 23, 1995.

Passed the Senate April 22, 1995.

Approved by the Governor May 9, 1995.

Filed in Office of Secretary of State May 9, 1995.