
ENGROSSED SENATE BILL 5568

State of Washington

56th Legislature

1999 Regular Session

By Senators B. Sheldon, Winsley, Franklin, McAuliffe, Prentice, Snyder and Jacobsen

Read first time 01/28/1999. Referred to Committee on Labor & Workforce Development.

1 AN ACT Relating to self-employment assistance; and adding a new
2 chapter to Title 50 RCW.

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

4 NEW SECTION. **Sec. 1.** Under federal law, the legislature may
5 establish a self-employment assistance program as part of its
6 unemployment insurance program. The legislature finds that the
7 establishment of a self-employment assistance program would assist
8 unemployed individuals and create new businesses and job opportunities
9 in Washington state.

10 NEW SECTION. **Sec. 2.** The definitions in this section apply
11 throughout this chapter unless the context clearly requires otherwise.

12 (1) "Self-employment assistance activities" means activities that
13 are approved by the commissioner, in which an individual, who is
14 identified through a worker profiling system as likely to exhaust
15 regular benefits, participates for the purpose of establishing a
16 business and becoming self-employed. Self-employment assistance
17 activities include entrepreneurial training, business counseling, and
18 technical assistance.

1 (2) "Self-employment assistance allowance" means an allowance,
2 payable in lieu of regular benefits and from the unemployment
3 compensation fund established under RCW 50.16.010, to an individual
4 participating in self-employment assistance activities who meets the
5 requirements of this chapter.

6 (3) "Regular benefits" means benefits payable to an individual
7 under this title (including benefits payable to federal civilian
8 employees and to ex-service members pursuant to 5 U.S.C. chapter 85)
9 other than additional and extended benefits.

10 (4) "Full-time basis" has the meaning contained in regulations
11 prescribed by the commissioner.

12 NEW SECTION. **Sec. 3.** The weekly allowance payable under this
13 chapter to an individual will be equal to the weekly benefit amount for
14 regular benefits otherwise payable under this title. The sum of the
15 allowance paid under this chapter, and regular benefits paid under this
16 title, with respect to any benefit year, shall not exceed the maximum
17 benefit amount as established by RCW 50.20.120 with respect to the
18 benefit year.

19 NEW SECTION. **Sec. 4.** In every week that an individual is paid a
20 self-employment assistance allowance, the individual must participate
21 in either entrepreneurial training or business counseling. In any week
22 that an individual fails to participate in either entrepreneurial
23 training or business counseling, the individual shall be disqualified
24 for the week the failure occurs and the individual shall not receive
25 either a self-employment assistance allowance or regular benefits for
26 the week the failure occurs.

27 NEW SECTION. **Sec. 5.** The allowance described in this chapter is
28 payable to an individual at the same interval, on the same terms, and
29 subject to the same conditions as regular benefits under this title,
30 except that:

31 (1) The requirements of RCW 50.20.010 and 50.20.080 relating to
32 availability for work, active search for work, and refusal to accept
33 work are not applicable to the individual;

34 (2) An individual who meets the requirements of this chapter is
35 considered to be unemployed under RCW 50.04.310 and 50.20.010; and

1 (3) An individual who fails to participate in self-employment
2 assistance activities or who fails to actively engage on a full-time
3 basis in activities, which may include training, relating to the
4 establishment of a business and becoming self-employed shall be
5 disqualified for the week the failure occurs.

6 NEW SECTION. **Sec. 6.** The aggregate number of individuals
7 receiving the allowance under this chapter at any time may not exceed
8 two percent of the number of individuals receiving regular benefits.

9 NEW SECTION. **Sec. 7.** Allowances paid under this chapter are
10 charged to employers as provided under the provisions of this title
11 that relate to the charging of regular benefits.

12 NEW SECTION. **Sec. 8.** This chapter applies after the effective
13 date of this act or after any plan required by the United States
14 department of labor is approved by the United States department of
15 labor, whichever date is later.

16 NEW SECTION. **Sec. 9.** The commissioner shall take all steps
17 necessary in carrying out this chapter to assure collaborative
18 involvement of interested parties in program development, and to ensure
19 that the self-employment assistance program meets all federal criteria
20 for withdrawal from the unemployment compensation fund. The
21 commissioner may include, as part of the self-employment assistance
22 program, existing entrepreneurial training programs available through
23 community colleges, private industry councils, or other organizations,
24 and is not obligated by this chapter to expend any departmental funds
25 for the operation of entrepreneurial training programs, unless specific
26 funding is provided to the department for that purpose through federal
27 or state appropriations.

28 NEW SECTION. **Sec. 10.** The commissioner may adopt rules as
29 necessary to implement this chapter.

30 NEW SECTION. **Sec. 11.** If any part of this act is found to be in
31 conflict with federal requirements that are a prescribed condition to
32 the allocation of federal funds to the state or the eligibility of
33 employers in this state for federal unemployment tax credits, the

1 conflicting part of this act is inoperative solely to the extent of the
2 conflict, and the finding or determination does not affect the
3 operation of the remainder of this act. Rules adopted under this act
4 must meet federal requirements that are a necessary condition to the
5 receipt of federal funds by the state or the granting of federal
6 unemployment tax credits to employers in this state.

7 NEW SECTION. **Sec. 12.** Sections 1 through 11 of this act
8 constitute a new chapter in Title 50 RCW.

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