

# SENATE BILL REPORT

## SB 6858

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As of February 11, 2008

**Title:** An act relating to excluding from employment services performed by sports officials.

**Brief Description:** Excluding from employment under Title 50 RCW services performed by sports officials.

**Sponsors:** Senators Franklin, Kohl-Welles and Hargrove.

**Brief History:**

**Committee Activity:** Labor, Commerce, Research & Development: 2/05/08.

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### SENATE COMMITTEE ON LABOR, COMMERCE, RESEARCH & DEVELOPMENT

**Staff:** Kathleen Buchli (786-7488)

**Background:** Whether a person is an independent contractor or an employee determines if the person is covered for purposes of workers' compensation and unemployment benefits and whether industrial insurance premiums and unemployment taxes must be paid by the employer. The term "independent contractor" is not defined in code, rather, this concept is embodied in the exceptions to the definition of "employment."

**Summary of Bill:** The bill as referred to committee was not considered.

**SUMMARY OF BILL (Proposed Substitute):** An exception is made for the definition of employment for the purposes of unemployment benefits. Duties performed by a sports official during an amateur sports event do not constitute employment.

**Appropriation:** None.

**Fiscal Note:** Available.

**Committee/Commission/Task Force Created:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony on Proposed Substitute:** PRO: Soccer officials want to be excluded because this is not their full-time employment. This bill would reduce costs to schools. This bill reduces an administrative burden on those people who just want to officiate.

CON: This bill is opposed in its original form, but the substitute bill is supported because it does not include the Department of Labor and Industries in its scope.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

**Persons Testifying:** PRO: Todd Stordahl, Washington Officials Association; Cindy C. Wilson, Washington Officials Association; Robert Berg, Southwest Washington Officials, Washington Officials Association.

CON: Wayne Lieb, Washington State Trial Lawyers Association, Quadco Referee Association.