
SENATE BILL 5653

State of Washington 60th Legislature 2007 Regular Session

By Senators Kauffman, Kastama, Brown, Berkey, Rockefeller, Keiser, Franklin, Kohl-Welles and Shin

Read first time 01/26/2007. Referred to Committee on Economic Development, Trade & Management.

1 AN ACT Relating to the establishment of a self-employment
2 assistance program; amending RCW 50.20.095; and adding a new section to
3 chapter 50.20 RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 50.20 RCW
6 to read as follows:

7 (1) The legislature finds that the establishment of a
8 self-employment assistance program would assist unemployed individuals
9 and create new businesses and job opportunities in Washington state.
10 The department shall inform individuals identified as likely to exhaust
11 regular unemployment benefits of the opportunity to enroll in
12 commissioner-approved self-employment assistance programs.

13 (2) An unemployed individual is eligible to participate in a
14 self-employment assistance program if it has been determined that he or
15 she:

16 (a) Is otherwise eligible for regular benefits as defined in RCW
17 50.22.010;

18 (b) Has been identified as likely to exhaust regular unemployment

1 benefits under a profiling system established by the commissioner as
2 defined in P.L. 103-152; and

3 (c) Is enrolled in a self-employment assistance program that is
4 approved by the commissioner, and includes entrepreneurial training,
5 business counseling, technical assistance, and requirements to engage
6 in activities relating to the establishment of a business and becoming
7 self-employed.

8 (3) Individuals participating in a self-employment assistance
9 program approved by the commissioner are eligible to receive their
10 regular unemployment benefits.

11 (a) The requirements of RCW 50.20.010 and 50.20.080 relating to
12 availability for work, active search for work, and refusal to accept
13 suitable work are not applicable to an individual in the
14 self-employment assistance program for the first fifty-two weeks of the
15 individual's participation in the program. However, enrollment in a
16 self-employment assistance program does not entitle the enrollee to any
17 benefit payments he or she would not be entitled to had he or she not
18 enrolled in the program.

19 (b) An individual who meets the requirements of this section is
20 considered to be "unemployed" under RCW 50.04.310 and 50.20.010.

21 (4) An individual who fails to participate in his or her approved
22 self-employment assistance program as prescribed by the commissioner is
23 disqualified from continuation in the program.

24 (5) The commissioner shall take all steps necessary in carrying out
25 this section to assure collaborative involvement of interested parties
26 in program development, and to ensure that the self-employment
27 assistance programs meet all federal criteria for withdrawal from the
28 unemployment fund. The commissioner may approve, as self-employment
29 assistance programs, existing self-employment training programs
30 available through community colleges, work force investment boards, or
31 other organizations and is not obligated by this section to expend any
32 departmental funds for the operation of self-employment assistance
33 programs, unless specific funding is provided to the department for
34 that purpose through federal or state appropriations.

35 (6) The commissioner may adopt rules as necessary to implement this
36 section.

1 **Sec. 2.** RCW 50.20.095 and 1980 c 74 s 4 are each amended to read
2 as follows:

3 Any individual registered at an established school in a course of
4 study providing scholastic instruction of twelve or more hours per
5 week, or the equivalent thereof, shall be disqualified from receiving
6 benefits or waiting period credit for any week during the school term
7 commencing with the first week of such scholastic instruction or the
8 week of leaving employment to return to school, whichever is the
9 earlier, and ending with the week immediately before the first full
10 week in which the individual is no longer registered for twelve or more
11 hours of scholastic instruction per week: PROVIDED, That registration
12 for less than twelve hours will be for a period of sixty days or
13 longer. The term "school" includes primary schools, secondary schools,
14 and "institutions of higher education" as that phrase is defined in RCW
15 50.44.037.

16 This disqualification shall not apply to any individual who:

17 (1) Is in approved training within the meaning of RCW 50.20.043;
18 (~~(or)~~)

19 (2) Is in an approved self-employment assistance program under
20 section 1 of this act; or

21 (3) Demonstrates to the commissioner by a preponderance of the
22 evidence his or her actual availability for work, and in arriving at
23 this determination the commissioner shall consider the following
24 factors:

- 25 (a) Prior work history;
- 26 (b) Scholastic history;
- 27 (c) Past and current labor market attachment; and
- 28 (d) Past and present efforts to seek work.

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