

**SB 5903 - S AMD 318**

By Senators Hobbs, Hatfield, Hargrove

ADOPTED 04/22/2013

1 Strike everything after the enacting clause and insert the  
2 following:

3 "Sec. 1. RCW 49.86.030 and 2011 1st sp.s. c 25 s 1 are each  
4 amended to read as follows:

5 Beginning October 1, (~~2015~~) 2017, family leave insurance benefits  
6 are payable to an individual during a period in which the individual is  
7 unable to perform his or her regular or customary work because he or  
8 she is on family leave if the individual:

9 (1) Files a claim for benefits in each week in which the individual  
10 is on family leave, and as required by rules adopted by the director;

11 (2) Has been employed for at least six hundred eighty hours in  
12 employment during the individual's qualifying year;

13 (3) Establishes an application year. An application year may not  
14 be established if the qualifying year includes hours worked before  
15 establishment of a previous application year;

16 (4) Consents to the disclosure of information or records deemed  
17 private and confidential under chapter 50.13 RCW. Initial disclosure  
18 of this information and these records by the employment security  
19 department to the department is solely for purposes related to the  
20 administration of this chapter. Further disclosure of this information  
21 or these records is subject to RCW 49.86.020(3);

22 (5) Discloses whether or not he or she owes child support  
23 obligations as defined in RCW 50.40.050; and

24 (6) Documents that he or she has provided the employer from whom  
25 family leave is to be taken with written notice of the individual's  
26 intention to take family leave in the same manner as an employee is  
27 required to provide notice in RCW 49.78.250.

28 NEW SECTION. **Sec. 2.** (1)(a)(i) The joint legislative task force

1 on family and medical leave insurance funding is established, with  
2 eight members as provided in this subsection.

3 (A) The chair and the ranking member of the senate commerce and  
4 labor committee.

5 (B) The chair and the ranking member of the house labor and  
6 workforce development committee.

7 (C) The majority leader of the senate must appoint one member from  
8 each of the two largest caucuses of the senate.

9 (D) The speaker of the house of representatives must appoint one  
10 member from each of the two largest caucuses of the house of  
11 representatives.

12 (ii) The department of labor and industries and the employment  
13 security department must cooperate with the task force and must each  
14 maintain a liaison representative, who must be a nonvoting member.

15 (iii) The majority leader of the senate and the speaker of the  
16 house of representatives jointly must appoint the cochairs of the task  
17 force from among the legislative members of the task force. The  
18 cochairs must convene the initial meeting of the task force no later  
19 than January 1, 2014, and set a schedule of monthly meetings  
20 thereafter.

21 (b) The task force must make legislative recommendations for  
22 financing of the benefits and administrative costs of the family and  
23 medical leave insurance act.

24 (c) Staff support for the task force must be provided by senate  
25 committee services and the house of representatives office of program  
26 research.

27 (d) Legislative members of the task force must be reimbursed for  
28 travel expenses in accordance with RCW 44.04.120. Nonlegislative  
29 members, except those representing an employer or organization, are  
30 entitled to be reimbursed for travel expenses in accordance with RCW  
31 43.03.050 and 43.03.060.

32 (e) The expenses of the task force must be paid jointly by the  
33 senate and the house of representatives. Task force expenditures are  
34 subject to approval by the senate facilities and operations committee  
35 and the house of representatives executive rules committee, or their  
36 successor committees.

37 (f) By January 1, 2015, and in compliance with RCW 43.01.036, the  
38 task force must submit a report to the legislature that details the

1 task force's recommendations for funding the family and medical leave  
2 insurance act. The recommendations of the task force must include  
3 proposed legislation for introduction during the 2015 legislative  
4 session that implements the task force's recommendations.

5 (2) The following acts or parts of acts, as now existing or  
6 hereafter amended, are each repealed:

7 (a) RCW 49.86.005 (Findings) and 2007 c 357 s 1;

8 (b) RCW 49.86.010 (Definitions) and 2007 c 357 s 3;

9 (c) RCW 49.86.020 (Family leave insurance program) and 2007 c 357  
10 s 4;

11 (d) RCW 49.86.030 (Eligibility for benefits) and 2013 c ... s 1  
12 (section 1 of this act), 2011 1st sp.s. c 25 s 1, 2009 c 544 s 1, &  
13 2007 c 357 s 5;

14 (e) RCW 49.86.040 (Disqualification from benefits) and 2007 c 357  
15 s 6;

16 (f) RCW 49.86.050 (Duration of benefits--Payment of benefits) and  
17 2007 c 357 s 7;

18 (g) RCW 49.86.060 (Amount of benefits) and 2007 c 357 s 8;

19 (h) RCW 49.86.070 (Federal income tax) and 2007 c 357 s 9;

20 (i) RCW 49.86.080 (Erroneous payments--Payments induced by willful  
21 misrepresentation--Claim rejected after payments) and 2007 c 357 s 10;

22 (j) RCW 49.86.090 (Leave and employment protection) and 2007 c 357  
23 s 11;

24 (k) RCW 49.86.100 (Employment by same employer) and 2007 c 357 s  
25 12;

26 (l) RCW 49.86.110 (Elective coverage) and 2007 c 357 s 13;

27 (m) RCW 49.86.120 (Appeals) and 2007 c 357 s 14;

28 (n) RCW 49.86.130 (Prohibited acts--Discrimination--Enforcement)  
29 and 2007 c 357 s 15;

30 (o) RCW 49.86.140 (Coordination of leave) and 2007 c 357 s 16;

31 (p) RCW 49.86.150 (Continuing entitlement or contractual rights--  
32 Not created) and 2007 c 357 s 17;

33 (q) RCW 49.86.160 (Rules) and 2007 c 357 s 18;

34 (r) RCW 49.86.170 (Family leave insurance account) and 2009 c 4 s  
35 905 & 2007 c 357 s 19;

36 (s) RCW 49.86.180 (Family leave insurance account funds--  
37 Investment) and 2007 c 357 s 20;

1 (t) RCW 49.86.210 (Reports) and 2011 1st sp.s. c 25 s 2, 2009 c 544  
2 s 2, & 2007 c 357 s 26;  
3 (u) RCW 49.86.900 (Severability--2007 c 357) and 2007 c 357 s 27;  
4 (v) RCW 49.86.901 (Captions not law--2007 c 357) and 2007 c 357 s  
5 28;  
6 (w) RCW 49.86.902 (Effective dates--2007 c 357) and 2007 c 357 s  
7 30; and  
8 (x) RCW 49.86.903 (Construction--Chapter applicable to state  
9 registered domestic partnerships--2009 c 521) and 2009 c 521 s 136.  
10 (3)(a) Subsection (2) of this section takes effect December 31,  
11 2015, if the family and medical leave insurance act is not funded by  
12 December 31, 2015.  
13 (b) The director of the office of financial management must provide  
14 written notice of the effective date of subsection (2) of this section  
15 to affected parties, the chief clerk of the house of representatives,  
16 the secretary of the senate, the office of the code reviser, and others  
17 as deemed appropriate by the director."

**SB 5903** - S AMD  
By Senators Hobbs, Hatfield, Hargrove

**ADOPTED 04/22/2013**

18 On page 1, line 1 of the title, after "Relating to" strike the  
19 remainder of the title and insert "funding the family and medical leave  
20 insurance act; amending RCW 49.86.030; creating a new section;  
21 repealing RCW 49.86.005, 49.86.010, 49.86.020, 49.86.030, 49.86.040,  
22 49.86.050, 49.86.060, 49.86.070, 49.86.080, 49.86.090, 49.86.100,  
23 49.86.110, 49.86.120, 49.86.130, 49.86.140, 49.86.150, 49.86.160,  
24 49.86.170, 49.86.180, 49.86.210, 49.86.900, 49.86.901, 49.86.902, and  
25 49.86.903; and providing a contingent effective date."

EFFECT: Implementation of the family leave insurance program is

delayed. Benefits are payable beginning October 1, 2017 (instead of October 1, 2015). A joint legislative task force on family and medical leave insurance funding is convened to make recommendations to the legislature regarding the financing of the benefits and administrative costs of the family and medical leave insurance act. The task force must have eight members and includes the chair and ranking members from the Senate Commerce and Labor Committee and the House Labor and Workforce Development Committee. Other members are representatives from the two largest caucuses of the Senate and the House of Representatives. The joint legislative task force will convene January 1, 2014, and meet monthly. Recommendations are due to the legislature by January 1, 2015. If the family and medical leave insurance act is not funded by December 31, 2015, the act is repealed.

--- END ---