CERTIFICATION OF ENROLLMENT

**SENATE BILL 5331**

68th Legislature

2023 Regular Session

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| Passed by the Senate February 15, 2023Yeas 34 Nays 15**President of the Senate**Passed by the House April 7, 2023Yeas 81 Nays 15**Speaker of the House of Representatives** | CERTIFICATEI, Sarah Bannister, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SENATE BILL 5331** as passed by the Senate and the House of Representatives on the dates hereon set forth.Secretary |
| Approved  |  |
| **Governor of the State of Washington** | **Secretary of State** **State of Washington** |

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**SENATE BILL 5331**

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Passed Legislature - 2023 Regular Session

**State of Washington 68th Legislature 2023 Regular Session**

**By** Senators Conway, Saldaña, Keiser, Lovelett, and C. Wilson; by request of Employment Security Department

AN ACT Relating to job search requirements for unemployment insurance benefits; amending RCW 50.20.240; and creating new sections.

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

**Sec.**  RCW 50.20.240 and 2021 c 82 s 1 are each amended to read as follows:

(1)(a) To ensure that following the initial application for benefits, an individual is actively engaged in searching for work, the employment security department shall implement job search monitoring. The employment security department shall contract with employment security agencies in other states to ensure that individuals residing in those states and receiving benefits under this title are actively engaged in searching for work in accordance with the requirements of this section. The employment security department must ensure that individuals are subject to comparable job search monitoring, regardless of whether they reside in Washington or elsewhere.

(b) Except for those individuals with employer attachment or union referral, individuals complying with an electrical apprenticeship training program that includes a recognized referral system under apprenticeship program standards approved by the Washington state apprenticeship and training council, individuals who qualify for unemployment compensation under RCW 50.20.050 ((~~(1)(b)(iv) or (2)(b)(iv)~~)), as applicable, and individuals in commissioner-approved training, an individual who has received five or more weeks of benefits under this title, regardless of whether the individual resides in Washington or elsewhere, must provide evidence of seeking work, as directed by the commissioner or the commissioner's agents, for each week beyond five in which a claim is filed.

((~~(i) Until December 31, 2023, the evidence must demonstrate contacts with at least three employers per week or documented in-person job search activities at the local reemployment center at least three times per week, or as otherwise directed by the employment security department to meet the intent of rigorous reemployment efforts.~~

~~(ii) On or after January 1, 2024, the~~)) The evidence must demonstrate contacts with at least three employers per week, or documented job search activities with the local reemployment center at least three times per week, or as otherwise directed by the employment security department to meet the objective of reemployment in suitable work as described in RCW 50.20.100.

(c) In developing the requirements for job search ((~~monitoring~~)), the commissioner or the commissioner's agents shall ((~~utilize~~)) consult with an existing advisory committee having equal representation of employers and workers.

(2) An individual who fails to comply fully with the requirements for actively seeking work under RCW 50.20.010 shall lose all benefits for all weeks during which the individual was not in compliance, and the individual shall be liable for repayment of all such benefits under RCW 50.20.190.

NEW SECTION. **Sec.**  By July 1, 2024, and every two years thereafter, and in compliance with RCW 43.01.036, the employment security department in consultation with the advisory committee referenced in RCW 50.20.240(1)(c) must submit a report to the appropriate committees of the legislature that details the impacts of any flexibilities utilized in claimant job search methods, monitoring, and outcomes. The report must include a section for advisory committee members to respond directly to the contents of the report.

NEW SECTION. **Sec.**  If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. **Sec.**  If any part of this act is found to be in conflict with federal requirements that are a prescribed condition to the allocation of federal funds to the state or the eligibility of employers in this state for federal unemployment tax credits, the conflicting part of this act is inoperative solely to the extent of the conflict, and the finding or determination does not affect the operation of the remainder of this act. Rules adopted under this act must meet federal requirements that are a necessary condition to the receipt of federal funds by the state or the granting of federal unemployment tax credits to employers in this state.

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