

3188-S

Sponsor(s): House Committee on Commerce & Labor (originally sponsored by Representatives Conway and Wood)

Brief Description: Concerning liability to the department of labor and industries for premiums, overpayments, and penalties.

**HB 3188-S.E - DIGEST**

(DIGEST AS ENACTED)

Provides that, upon termination, dissolution, or abandonment of a corporate or limited liability company business, any officer, member, manager, or other person having control or supervision of payment and/or reporting of industrial insurance, or who is charged with the responsibility for the filing of returns, is personally liable for any unpaid premiums and interest and penalties on those premiums if such officer or other person willfully fails to pay or to cause to be paid any premiums due the department under chapter 51.16 RCW.

Requires the department to, working with business associations and other employer and employee groups when practical, publish information and provide training to promote understanding of the premium liability that may be incurred under chapters 51.16 and 51.48 RCW.

Provides that the department may only assess an overpayment of benefits because of adjudicator error when the order upon which the overpayment is based is not yet final as provided in RCW 51.52.050 and 51.52.060. "Adjudicator error" includes the failure to consider information in the claim file, failure to secure adequate information, or an error in judgment.