
HOUSE BILL 2744

State of Washington 59th Legislature 2006 Regular Session

By Representatives O'Brien and Ericks

Read first time 01/12/2006. Referred to Committee on Commerce & Labor.

1 AN ACT Relating to volunteer services provided to the state; and
2 amending RCW 51.12.035.

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

4 **Sec. 1.** RCW 51.12.035 and 2002 c 175 s 39 are each amended to read
5 as follows:

6 (1)(a) Volunteers shall be deemed employees and/or workers, as the
7 case may be, for all purposes relating to medical aid benefits under
8 chapter 51.36 RCW.

9 ((A)) (b) As used in this subsection, "volunteer" ((shall)) means
10 a person who performs any assigned or authorized duties for the state
11 or any agency thereof, except emergency services workers as described
12 by chapter 38.52 RCW, brought about by one's own free choice, receives
13 no wages, and is registered and accepted as a volunteer by the state or
14 any agency thereof, prior to the occurrence of the injury or the
15 contraction of an occupational disease, for the purpose of engaging in
16 authorized volunteer service(~~(:— PROVIDED, That such)~~). The person
17 shall be deemed to be a volunteer although he or she may be granted
18 maintenance and reimbursement for actual expenses necessarily incurred
19 in performing his or her assigned or authorized duties.

1 (c) Any and all premiums or assessments due under this title on
2 account of (~~such~~) volunteer service covered under this subsection
3 shall be the obligation of and be paid by the state or any agency
4 thereof which has registered and accepted the services of volunteers.

5 (d) Volunteers who provide volunteer services to the department of
6 corrections in an inmate education program or as a chaplain do not have
7 any right of action whatsoever against the state or the department of
8 corrections on account of an injury incurred or an occupational disease
9 contracted in the course of that volunteer service, except as otherwise
10 provided in this title.

11 (2)(a) Except as provided in RCW 51.12.050, volunteers may be
12 deemed employees and/or workers, as the case may be, for all purposes
13 relating to medical aid benefits under chapter 51.36 RCW at the option
14 of any city, county, town, special district, municipal corporation, or
15 political subdivision of any type, or any private nonprofit charitable
16 organization, when any such unit of local government or any such
17 nonprofit organization has given notice of covering all of its
18 volunteers to the director prior to the occurrence of the injury or
19 contraction of an occupational disease.

20 ((A)) (b) As used in this subsection, "volunteer" (~~shall~~) means
21 a person who performs any assigned or authorized duties for any
22 (~~such~~) unit of local government(~~(τ)~~) or (~~(any such)~~) nonprofit
23 organization described in (a) of this subsection, except emergency
24 services workers as described by chapter 38.52 RCW, or fire fighters
25 covered by chapter 41.24 RCW, brought about by one's own free choice,
26 receives no wages, and is registered and accepted as a volunteer by any
27 such unit of local government(~~(τ)~~) or any such nonprofit organization
28 which has given (~~such~~) the notice(~~(τ)~~) required in (a) of this
29 subsection for the purpose of engaging in authorized volunteer
30 services(~~(\div —PROVIDED, That such)~~). The person shall be deemed to be
31 a volunteer although he or she may be granted maintenance and
32 reimbursement for actual expenses necessarily incurred in performing
33 his or her assigned or authorized duties(~~(\div —PROVIDED FURTHER, That)~~).
34 However, juveniles performing community restitution under chapter 13.40
35 RCW may not be granted coverage as volunteers under this section.

36 (c) Any and all premiums or assessments due under this title on
37 account of (~~such~~) volunteer service covered under this subsection for
38 any (~~such~~) unit of local government(~~(τ)~~) or (~~(any such)~~) nonprofit

1 organization described in (a) of this subsection shall be the
2 obligation of and be paid by such unit of local government or nonprofit
3 organization which has registered and accepted the services of
4 volunteers and exercised its option to secure the medical aid benefits
5 under chapter 51.36 RCW for such volunteers.

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