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SENATE BILL 6713

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State of Washington

59th Legislature

2006 Regular Session

By Senators Eide, Brown, Fairley, Keiser and Kohl-Welles

Read first time 01/19/2006. Referred to Committee on International Trade & Economic Development.

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.

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

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

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

32 (6) The commissioner may adopt rules as necessary to implement this  
33 section.

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

36 Any individual registered at an established school in a course of  
37 study providing scholastic instruction of twelve or more hours per

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

12 This disqualification shall not apply to any individual who:

13 (1) Is in approved training within the meaning of RCW 50.20.043;

14 (~~(2)~~)

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

17 (3) Demonstrates to the commissioner by a preponderance of the  
18 evidence his or her actual availability for work, and in arriving at  
19 this determination the commissioner shall consider the following  
20 factors:

21 (a) Prior work history;

22 (b) Scholastic history;

23 (c) Past and current labor market attachment; and

24 (d) Past and present efforts to seek work.

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