
HOUSE BILL 1995

State of Washington

63rd Legislature

2013 Regular Session

By Representatives Hudgins, Stanford, Riccelli, Sells, Green, Ormsby, Hunt, Appleton, and Kirby

Read first time 03/09/13. Referred to Committee on Government Operations & Elections.

1 AN ACT Relating to state contracts for call center services; adding
2 a new section to chapter 39.26 RCW; prescribing penalties; and
3 providing an effective date.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 39.26 RCW
6 to read as follows:

7 (1) Except as provided in subsection (2) of this section, call
8 center services performed under a personal services contract with an
9 agency, or under any subcontract for call center services awarded under
10 the personal services contract, may not be performed at a location
11 outside the United States.

12 (2) Subsection (1) of this section does not apply if the director
13 of the office of financial management determines that the only
14 practicable location where the call center services may be performed is
15 clearly and justifiably a location outside the United States.

16 (3) A contractor or subcontractor performing call center services
17 under a personal services contract with the state that relocates call
18 center services under the contract outside the United States must

1 notify the department at least one hundred twenty days before such
2 relocation. In notifying the department, the contractor or
3 subcontractor must report:

4 (a) The percent of call center services under the contract or
5 subcontract that will move from the state to a location outside the
6 United States; and

7 (b) Whether call center employees will have access to personal
8 information about Washington state residents including, but not limited
9 to, information such as a resident's name, address, social security
10 number, birthdate, medical records, credit records, and if so, what
11 types of employees will have access to this information.

12 (4) A contractor or subcontractor that fails to notify the
13 department under subsection (3) of this section is subject to a civil
14 penalty not to exceed ten thousand dollars for each day of such
15 violation except that the director may reduce the amount for just cause
16 shown.

17 (5) The department shall compile a semiannual list of all the
18 contractors or subcontractors that have notified the department under
19 subsection (3) of this section, including the information specified in
20 subsection (3)(a) and (b) of this section, and post the list on the
21 department web site. A contractor or subcontractor that notifies the
22 department must remain on the list for four semiannual postings.

23 (6) A contractor or subcontractor that notifies the department
24 under subsection (3) of this section is not eligible for any tax
25 preference as defined in RCW 43.136.021 for two years from the date of
26 relocation and the department of revenue must declare the tax
27 preferences the contractor or subcontractor received for the two
28 calendar years previous to the date of relocation to be immediately
29 due.

30 (7) For purposes of this section, "call center" means a physical or
31 electronic operation that uses telephonic or electronic communications
32 in one or more of the following activities: (a) Providing customer
33 services, including information about customer accounts; (b) soliciting
34 sales; (c) reactivating dormant accounts; (d) conducting surveys or
35 research; (e) collecting receivables or debts; (f) answering questions
36 about or registering for benefits; (g) taking or receiving
37 reservations; or (h) taking or receiving orders.

1 (8) This section applies to contracts entered into or renewed after
2 the effective date of this section.

3 NEW SECTION. **Sec. 2.** This act takes effect January 1, 2014.

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