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SENATE BILL 5363

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State of Washington

63rd Legislature

2013 Regular Session

By Senators Holmquist Newbry, Conway, Keiser, Hasegawa, and Kohl-Welles; by request of Department of Labor & Industries

Read first time 01/28/13. Referred to Committee on Commerce & Labor.

1 AN ACT Relating to industrial insurance for horse racing  
2 employment; and amending RCW 51.16.210.

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

4 **Sec. 1.** RCW 51.16.210 and 1989 c 385 s 1 are each amended to read  
5 as follows:

6 (1) The department shall assess premiums, under the provisions of  
7 this section, for certain horse racing employments licensed in  
8 accordance with chapter 67.16 RCW. This premium assessment shall be  
9 for the purpose of providing industrial insurance coverage for  
10 employees of trainers licensed under chapter 67.16 RCW, including but  
11 not limited to exercise riders, pony riders, and grooms, and including  
12 all on or off track employment. (~~For the purposes of RCW 51.16.210,~~  
13 ~~67.16.300, 51.16.140, 51.32.073, and 67.16.020 a hotwalker shall be~~  
14 ~~considered a groom.~~) The department may adopt rules under chapter  
15 34.05 RCW to carry out the purposes of this section, including rules  
16 providing for alternative reporting periods and payment due dates for  
17 coverage under this section. The department rules shall ensure that no  
18 licensee licensed prior to May 13, 1989, shall pay more than the  
19 assessment fixed at the basic manual rate.

1           (2) The department shall compute industrial insurance premium rates  
2   (~~(on a per license basis, which)~~) and these premiums (~~(shall)~~) may be  
3 assessed at the time of each issuance or renewal of the license for  
4 owners, trainers, and grooms in amounts established by department rule  
5 for coverage under this section. Premium assessments shall be  
6 determined in accordance with the requirements of this title, except  
7 that assessments shall not be experience rated and shall be fixed at  
8 the basic manual rate. However, rates may vary according to  
9 (~~(differences in working conditions at major tracks and fair tracks)~~)  
10 the risk insured, as determined according to rules adopted by the  
11 department and the Washington horse racing commission.

12           (3) For the purposes of paying premiums and assessments under this  
13 section and making reports under this title, individuals licensed as  
14 trainers by the Washington horse racing commission shall be considered  
15 employers. The premium assessment for a (~~(groom's license)~~) groom  
16 shall be paid by the trainer responsible for (~~(signing the groom's~~  
17 ~~license application and shall be payable at the time of license~~  
18 ~~issuance or renewal)~~) hiring the groom and is payable as required by  
19 the Washington horse racing commission.

20           (4) The fee to be assessed on owner licenses as required by this  
21 section shall not exceed one hundred fifty dollars. However, those  
22 owners having less than a full ownership in a horse or horses shall pay  
23 a percentage of the required license fee that is equal to the total  
24 percentage of the ownership that the owner has in the horse or horses.  
25 In no event shall an owner having an ownership percentage in more than  
26 one horse pay more than a one hundred fifty-dollar license fee. The  
27 assessment on each owner's license shall not imply that an owner is an  
28 employer, but shall be required as part of the privilege of holding an  
29 owner's license.

30           (5) Premium assessments under this section shall be collected by  
31 the Washington horse racing commission and deposited in the industrial  
32 insurance trust funds as provided under department rules.

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