
SENATE BILL 6016

State of Washington

65th Legislature

2018 Regular Session

By Senators Van De Wege, Palumbo, and Kuderer

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1 AN ACT Relating to telework; adding a new section to chapter
2 82.04 RCW; adding a new section to chapter 82.16 RCW; adding a new
3 section to chapter 51.16 RCW; creating a new section; and providing
4 an effective date.

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

6 NEW SECTION. **Sec. 1.** The legislature recognizes that commuting
7 accounts for more trips and miles traveled than any other single
8 transportation purpose. The legislature also recognizes that telework
9 has been found to reduce commute trips and provide flexibility for
10 work-related travel. Additionally, telework enables employers to
11 allow employees to work outside of urban areas, which reduces urban
12 commute trips while strengthening rural economies. The legislature
13 further recognizes that telework is a key component in a
14 comprehensive transportation demand management package.

15 NEW SECTION. **Sec. 2.** A new section is added to chapter 82.04
16 RCW to read as follows:

17 (1)(a) An employer is allowed a credit against tax due under this
18 chapter for:

1 (i) Telework expenditures that exceed the average annual telework
2 expenditures made by the employer in the preceding three calendar
3 years; and

4 (ii) Five hundred dollars per calendar year per employee who
5 teleworks at least twelve days per month, not including Saturdays or
6 Sundays, if the employee would otherwise perform the work in the
7 state of Washington.

8 (b) A credit claimed under this section may not exceed the amount
9 of tax that would otherwise be due under this chapter. The credit
10 must be claimed in the year in which the expenditure is made. The
11 employer must make the expenditure the year in which the credit is
12 approved by the department. Approved credit may not be carried over
13 to subsequent calendar years. The credit must be claimed by the due
14 date of the last tax return for the calendar year in which the
15 expenditure is made, after this date, any unused credit expires. A
16 refund may not be given in place of a credit. Total credits claimed
17 by a person under this section and section 3 of this act may not
18 exceed twenty thousand dollars for any calendar year. Expenditures
19 made before the effective date of this section are not eligible for
20 credit. If a person has used a credit approved under section 3 of
21 this act against tax under chapter 82.16 RCW, that same credit cannot
22 be used against tax under this chapter.

23 (2) Application for credits under this section must be made
24 before making a telework expenditure. Applications must be made to
25 the department in a form and manner as required by the department.
26 The department must approve or deny applications for credits using
27 the criteria under this subsection. The department must keep a
28 running total of all credits approved under this subsection and
29 section 3 of this act during each calendar year, and must deny any
30 credit application that would cause the tabulation for any calendar
31 year to exceed three million dollars. A person claiming a credit must
32 keep records as necessary for the department to verify eligibility
33 under this section, including records showing that an employee was
34 regularly scheduled to telework from the employee's home at least
35 twelve days per month, not including Saturdays or Sundays. The credit
36 under sections 2 and 3 of this act are available only if the location
37 of the telework is within this state.

38 (3) The definitions in this subsection apply throughout this
39 section unless the context clearly requires otherwise.

1 (a) "Telework" means a work arrangement whereby employees are
2 regularly scheduled at least twelve days per month, not including
3 Saturdays or Sundays, to perform the normal duties and
4 responsibilities of their positions at locations other than the
5 traditional workplace, through use of computers or
6 telecommunications. The term includes only work arrangements made by
7 employers for employees and excludes persons who are self-employed.

8 (b) "Telework equipment" means:

9 (i) Computers, computer-related hardware and software, facsimile
10 machines, modems, similar data processing or telecommunication
11 equipment, high-speed internet connectivity equipment, computer
12 security software and devices, all related delivery, installation,
13 and maintenance costs, and such other telework equipment as the
14 department may define by rule, used only at an alternate worksite,
15 including an employee's home for telework purposes; and

16 (ii) Equipment installed at an employer's place of business that
17 is used exclusively to provide remote data and voice access to
18 telework employees.

19 (c) "Telework expenditures" means amounts spent, including sales
20 or use taxes paid, to provide telework training, purchase telework
21 equipment, or for telework installation costs. The term includes only
22 expenditures for training, equipment, and services reasonably
23 necessary to facilitate telework.

24 (d) "Telework installation costs" means one-time expenditures for
25 installation of telework equipment and telecommunication access lines
26 at an employee's home for the purpose of telework.

27 NEW SECTION. **Sec. 3.** A new section is added to chapter 82.16
28 RCW to read as follows:

29 An employer is allowed a credit against tax due under this
30 chapter as described in section 2 of this act. A credit may be
31 claimed under this section in the same manner as provided for credits
32 under section 2 of this act. Credits under this section are subject
33 to the same conditions and limitations as credits under section 2 of
34 this act.

35 NEW SECTION. **Sec. 4.** A new section is added to chapter 51.16
36 RCW to read as follows:

1 The department must adopt rules providing for the reduction of
2 premiums or assessments from employers of workers who telework, as
3 defined in section 2 of this act.

4 NEW SECTION. **Sec. 5.** This act takes effect October 1, 2018.

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