PROPOSED RULE MAKING

CR-102 (June 2004)
(Implements RCW 34.05.320)
Do NOT use for expedited rule making

Agency: Employment Security Department

Preproposal Statement of Inquiry was filed as WSR 13-13-033; or
Expedited Rule Making--Proposed notice was filed as WSR _____________; or
Proposal is exempt under RCW 34.05.310(4).

Title of rule and other identifying information: (Describe Subject) Amendment of rules in Chapter 192-220 WAC relating to penalties for claimants who commit unemployment insurance fraud.

Date of intended adoption: November 18, 2013 (Note: This is NOT the effective date)

Purpose of the proposal and its anticipated effects, including any changes in existing rules: State and federal now require a monetary penalty for the first instance of fraud. The proposed changes make existing rules consistent with this requirement. The existing fraud rules only address penalties for second, third and subsequent instance of fraud.

Reasons supporting proposal: Rules implement Sections 1 and 2 of Chapter 189, Laws of 2013 (Senate Bill 5355).

Statutory authority for adoption: RCW 50.12.010 and RCW 50.12.040

Is rule necessary because of a:
Federal Law? Yes ☒ No ☐
Federal Court Decision? Yes ☐ No ☒
State Court Decision? Yes ☒ No ☐
If yes, CITATION:

DATE October 1, 2013
NAME (type or print) Nan Thomas

SIGNATURE Nan Thomas

TITLE Deputy Commissioner

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER STATE OF WASHINGTON FILED

DATE: October 01, 2013
TIME: 1:19 PM
WSR 13-20-112
Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:

None.

Name of proponent: (person or organization) Employment Security Department

Name of agency personnel responsible for:

<table>
<thead>
<tr>
<th>Name</th>
<th>Office Location</th>
<th>Phone</th>
</tr>
</thead>
<tbody>
<tr>
<td>Drafting.........</td>
<td>Juanita Myers</td>
<td>212 Maple Park, Olympia</td>
</tr>
<tr>
<td>Implementation...</td>
<td>Juanita Myers</td>
<td>212 Maple Park, Olympia</td>
</tr>
<tr>
<td>Enforcement......</td>
<td>Neil Gorrell</td>
<td>212 Maple Park, Olympia</td>
</tr>
</tbody>
</table>

Has a small business economic impact statement been prepared under chapter 19.85 RCW?

☐ Yes. Attach copy of small business economic impact statement.

A copy of the statement may be obtained by contacting:

Name:  
Address:  

phone ( ) ____________  
fax ( ) ____________  
e-mail __________________

☒ No. Explain why no statement was prepared.

The proposed rules clarify penalties for fraud and how payments will be applied. There are no impacts on small business.

Is a cost-benefit analysis required under RCW 34.05.328?

☐ Yes  A preliminary cost-benefit analysis may be obtained by contacting:

Name:  
Address:  

phone ( ) ____________  
fax ( ) ____________  
e-mail __________________

☒ No: Please explain: The rules simply clarify policies and procedures and do not meet the definition of significant legislative rules under RCW 34.05.328.