

days after the end of the fiscal year to the chief clerk of the house of representatives, to the secretary of the senate, and to the governor. The annual report shall include, but not be limited to, descriptions of all programs funded, and evaluation of the performance of each program, a summary of the public moneys expended, and the demographic and economic characteristics of the individuals trained, educated, and employed, including, in particular, the number of minority and economically disadvantaged individuals.

NEW SECTION. Sec. 10. A person making satisfactory progress in a program under this section and sections 2 and 4 through 9 of this act and who in the determination of the commissioner has no reasonable expectation of securing work without training shall be deemed to be in training with the approval of the commissioner of employment security for the purposes of RCW 50.20.043.

NEW SECTION. Sec. 11. Sections 1, 2, and 4 through 10 of this act are each added to chapter 223, Laws of 1969 ex. sess. and to chapter 28C-.04 RCW.

NEW SECTION. Sec. 12. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 13. There is appropriated from the general fund to the commission on vocational education for the biennium ending June 30, 1985, the sum of three million five hundred thousand dollars, or so much thereof as may be necessary, to carry out the purposes of this act. However, of this appropriation, not more than two hundred fifty thousand dollars may be expended for the state's occupational information system, and not more than two hundred fifty thousand dollars may be expended for the state's career information system. The amount spent for administrative expenses incurred by the commission on vocational education for the jobs skills program shall not exceed five percent of all funds expended for the jobs skills program.

Passed the House May 5, 1983.

Passed the Senate May 2, 1983.

Approved by the Governor May 13, 1983.

Filed in Office of Secretary of State May 13, 1983.

CHAPTER 22

[Senate Bill No. 3188]

TIMESHARE REGULATION

AN ACT Relating to timeshares; adding a new chapter to Title 64 RCW; prescribing penalties; making an appropriation; providing for future repeal; and providing an effective date.

Be it enacted by the Legislature of the State of Washington:

NEW SECTION. Sec. 1. As used in this chapter, the following terms have the meanings indicated unless the context clearly requires otherwise.

(1) "Advertisement" means any written, printed, audio, or visual communication which is published in whole or part to sell, offer to sell, or solicit an offer for a timeshare.

(2) "Affiliate of a promoter" means any person who controls, is controlled by, or is under the control of a promoter.

(3) "Director" means the director of licensing.

(4) "Interval" means that period of time when a timeshare owner is entitled to the possession and use of the timeshare unit.

(5) "Offer" means any inducement, solicitation, or attempt to encourage any person to acquire a timeshare. An offer is made in this state if the offer originates in this state or the principal timeshare property is located in this state.

(6) "Person" means a natural person, corporation, business trust, estate, trust, partnership, association, joint venture, or other legal or commercial entity.

(7) "Promoter" means any person directly or indirectly instrumental in organizing, wholly or in part, a timeshare offering.

(8) "Purchaser" means any person, other than a promoter, who by means of a voluntary transfer acquires a legal or equitable interest in a timeshare, other than as security for an obligation.

(9) "Sale" or "sell" includes every contract of sale of, contract to sell, or disposition of, a timeshare for value.

(10) "Timeshare" means a right to occupy a unit or any of several units during five or more separate time periods over a period of at least five years, including renewal options, whether or not coupled with an estate in land.

(11) "Timeshare expenses" means expenditures, fees, charges, or liabilities: (a) Incurred with respect to the timeshares by or on behalf of all timeshare owners in one timeshare property; and (b) imposed on the timeshare units by the entity governing a project of which the timeshare property is a part, together with any allocations to reserves but excluding purchase money payable for timeshares.

(12) "Timeshare instrument" means one or more documents, by whatever name denominated, creating or regulating timeshares.

(13) "Timeshare owner" means a person who is an owner or co-owner of a timeshare. If title to a timeshare is held in trust, "timeshare owner" means the beneficiary of the trust.

(14) "Timeshare salesperson" means any natural person who offers a timeshare unit for sale.

(15) "Unit" means the real or personal property, or portion thereof, in which the timeshare exists and which is designated for separate use.

NEW SECTION. Sec. 2. (1) A timeshare offering registration must be effective before any advertisement, solicitation of an offer, or any offer or sale of a timeshare may be made in this state.

(2) An applicant shall apply for registration by filing with the director:

(a) A copy of the disclosure document prepared in accordance with section 3 of this act and signed by the applicant;

(b) An application for registration prepared in accordance with section 4 of this act;

(c) An irrevocable consent to service of process signed by the applicant;

(d) The prescribed registration fee; and

(e) Any other information the director may by rule require in the protection of the public interest.

(3) The registration requirements do not apply to:

(a) An offer, sale, or transfer of not more than one timeshare in any twelve-month period;

(b) A gratuitous transfer of a timeshare;

(c) A sale under court order;

(d) A sale by a government or governmental agency;

(e) A sale by forfeiture, foreclosure, or deed in lieu of foreclosure; or

(f) A sale of a timeshare property or all timeshare units therein to any one purchaser.

(4) The director may by rule or order exempt any potential registrant from the requirements of this chapter if the director finds registration is unnecessary for the protection of the public interest.

NEW SECTION. Sec. 3. Any person who offers or sells a timeshare shall provide the prospective purchaser a written disclosure document before the prospective purchaser signs an agreement for the purchase of a timeshare. The timeshare salesperson shall date and sign the disclosure document. The disclosure document shall include:

(1) The official name and address of the promoter, its parent or affiliates, and the names and addresses of the director and officers of each;

(2) The location of the timeshare property;

(3) A general description of the timeshare property and the timeshare units;

(4) A list of all units offered by the promoter in the same project including:

(a) The types, prices, and number of units;

(b) Identification and location of units;

(c) The types and durations of the timeshares;

(d) The maximum number of units that may become part of the timeshare property; and

(e) A statement of the maximum number of timeshares that may be created or a statement that there is no maximum.

(5) A description of any financing offered by the promoter;

(6) A statement of ownership of all properties included in the timeshare offering including any liens or encumbrances affecting the property;

(7) Copies of any agreements or leases to be signed by timeshare purchasers at closing and a copy of the timeshare instrument;

(8) The identity of the managing entity and the manner, if any, whereby the promoter may change the managing entity;

(9) A description of the selling costs both per unit and for the total project at the time the sale is made;

(10) A statement disclosing when and where the promoter or its affiliate has previously sold timeshares;

(11) A description of the nature and purpose of all charges, dues, maintenance fees, and other expenses that may be assessed, including:

(a) The current amounts assessed;

(b) The method and formula for charges; and

(c) The formula for payment of charges if all timeshares are not sold and a statement of who pays additional costs;

(12) Any services which the promoter provides or expenses the promoter pays which the promoter expects may become a timeshare expense at any subsequent time;

(13) A statement in bold face type on the cover page of the disclosure document and the cover page of the timeshare purchase agreement that within seven days after receipt of a disclosure document or the signing of the timeshare purchase agreement, whichever is later, a purchaser may cancel any agreement for the purchase of a timeshare from a promoter or a timeshare salesperson and that the cancellation must be in writing and be either hand delivered or mailed to the promoter or the promoter's agent;

(14) Any restraints on transfer of a timeshare or portion thereof;

(15) A description of the insurance coverage provided for the benefit of timeshare owners;

(16) A full and accurate disclosure of whether the timeshare owners are to be permitted or required to become members of or participate in any program for the exchange of property rights among themselves or with the timeshare owners of other timeshare units, or both, and a complete description of the program; and

(17) Any additional information the director finds necessary to fully inform prospective timeshare purchasers, including but not limited to information required by section 4 of this act.

NEW SECTION. Sec. 4. The application for registration signed by the promoter shall contain the following information on a form prescribed by the director:

(1) The following financial statements showing the financial condition of the promoter and any affiliate:

(a) A balance sheet as of a date within four months before the filing of the application for registration; and

(b) Statements of income, shareholders' equity, and material changes in financial position as of the end of the last fiscal year and for any period between the end of the last fiscal year and the date of the last balance sheet;

(2) A projected budget for the timeshare project for two years after the offering being made, including but not limited to source of revenues and expenses of construction, development, management, maintenance, advertisement, operating reserves, interest, and any other necessary reserves;

(3) A statement of the selling costs per unit and total sales costs for the project, including sales commissions, advertisement fees, and fees for promotional literature;

(4) A description of the background of the promoters for the previous ten years, including information about the business experience of the promoter and any relevant criminal convictions, civil law suits, or administrative actions related to such promotion during that period;

(5) A statement disclosing any fees in excess of the stated price per unit to be charged to the purchasers, a description of their purpose, and the method of calculation;

(6) A statement disclosing when and where the promoter or an affiliate has previously sold timeshares;

(7) A statement of any liens, defects, or encumbrances on or affecting the title to the timeshare units;

(8) Copies of all timeshare instruments; and

(9) Any additional information to describe the risks which the director considers appropriate.

NEW SECTION. Sec. 5. If no stop order is in effect and no proceeding is pending under section 10 of this act, a registration application becomes effective at 3:00 p.m. Pacific Standard Time on the afternoon of the thirtieth calendar day after the filing of the application or the last amendment or at such earlier time as the director determines.

NEW SECTION. Sec. 6. (1) A timeshare offering is registered for a period of one year from the effective date of registration unless the director specifies a different period.

(2) Registration of a timeshare offering may be renewed for additional periods of one year each, unless the director by rule specifies a different period, by filing a renewal application with the director no later than thirty days before the expiration of the period in subsection (1) of this section and paying the prescribed fee. A renewal application shall contain any information the director requires to indicate any substantial changes in the information contained in the original application.

(3) If a materially adverse change in the condition of the promoter or the promoter's affiliates occurs during any year, an amendment to the documents filed under section 4 of this act shall be filed, along with the prescribed fee, as soon as reasonably possible and before any further sales occur.

NEW SECTION. Sec. 7. (1) In lieu of the documents required to be filed under section 4 of this act, the director may by rule accept:

(a) Any disclosure document filed with agencies of the United States or any other state;

(b) Any disclosure document compiled in accordance with any rule of any agency of the United States or any other state; or

(c) Any documents submitted pursuant to registration of a timeshare offering under chapter 58.19 RCW before the effective date of this act.

(2) The director may by rule waive disclosure of information which the director considers unnecessary for the protection of timeshare purchasers.

(3) The director may by rule require the provision of any other information the director considers necessary to protect timeshare purchasers.

NEW SECTION. Sec. 8. Any individual offering timeshare units for the individual's own account or for the account of others shall be registered as a timeshare salesperson unless the timeshare offering is exempt from registration under section 2 of this act. Registration may be obtained by filing an application with the department of licensing on a form prescribed by the director. The director may require that the applicant demonstrate sufficient knowledge of the timeshare industry and this chapter. A timeshare salesperson who is licensed as a real estate broker or salesperson under chapter 18.85 RCW is exempt from the registration requirement of this section.

NEW SECTION. Sec. 9. The director may by order deny, suspend, or revoke a timeshare salesperson's registration or application for registration if the director finds that the order is in the public interest and the applicant or registrant:

(1) Has filed an application for registration as a timeshare salesperson which, as of its effective date, is incomplete in any material respect or contains any statement which is, in the light of the circumstances under which it was made, false or misleading with respect to any material fact;

(2) Has violated or failed to comply with any provision of this chapter or a predecessor act or any rule or order issued under this chapter or a predecessor act;

(3) Has been convicted within the past five years of any misdemeanor or felony involving theft, fraud, or any consumer protection statute, or any felony involving moral turpitude;

(4) Is permanently or temporarily enjoined by any court from engaging in or continuing any conduct or practice involving any aspect of the timeshare business;

(5) Has engaged in dishonest or unethical practices in the timeshare business;

(6) Is insolvent either in the sense that the individual's liabilities exceed his or her assets or in the sense that the individual cannot meet his or her obligations as they mature; or

(7) Has not complied with any condition imposed by the director or is not qualified on the basis of such factors as training, experience, or knowledge of the timeshare business or this chapter.

The director may by order summarily postpone or suspend registration of the salesperson pending final determination of any proceeding under section 17 of this act.

NEW SECTION. Sec. 10. (1) The director may issue an order denying, suspending, or revoking any timeshare application or registration if the director finds that the order is in the public interest and that:

(a) The application or registration is incomplete or contains any statement which is false or misleading with respect to any material fact;

(b) Any provision of this chapter or any rule or order lawfully issued under this chapter has been violated;

(c) The activities of the promoter include, or would include, activities which are illegal; or

(d) The timeshare offering has worked or tended to work a fraud on purchasers, or would so operate.

(2) The director shall promptly notify the applicant or registrant of any order denying, suspending, or revoking registration and of the applicant's or registrant's right to request a hearing within fifteen days of notification. If the applicant or registrant does not request a hearing, the order remains in effect until the director modifies or vacates it.

NEW SECTION. Sec. 11. A promoter shall not sell, lease, assign, or otherwise transfer the promoter's interest in the timeshare program unless the transferee agrees in writing to honor the timeshare purchaser's right to use and occupy the timeshare unit, honor the purchaser's right to cancel, and comply with this chapter. In the event of a transfer, each timeshare purchaser whose contract may be affected shall be given written notice of the transfer when the transfer is made.

NEW SECTION. Sec. 12. (1) The parties to a timeshare agreement shall deal with each other in good faith.

(2) A timeshare promoter shall not require any timeshare purchaser to agree to a release, assignment, novation, waiver, or any other provision which relieves any person from a duty imposed by this chapter.

(3) Any provision in a timeshare contract or agreement which designates jurisdiction or venue in a forum outside this state is void with respect to any cause of action which is enforceable in this state.

NEW SECTION. Sec. 13. (1) The director may by rule require as a condition of registration under this chapter that the proceeds from the sale of the timeshares be impounded until the promoter receives an amount established by the director. The director may by rule determine the conditions of any impoundment required under this section, including the release of moneys for promotional purposes.

(2) The director, in lieu of or in addition to requiring impoundment under subsection (1) of this section, may require that the registrant establish trusts, escrows, or any other similar arrangement that assures the timeshare purchaser quiet enjoyment of the timeshare unit.

(3) Impounding will not be required for those timeshare offerors who are able to convey fee simple title, along with title insurance: **PROVIDED**, That no other facilities are promised in the offering.

NEW SECTION. Sec. 14. The promoter or any person offering timeshare interest shall provide a prospective purchaser with a copy of the disclosure document described in section 3 of this act before the execution of any agreement for the purchase of a timeshare. A purchaser may, for seven days following execution of an agreement to purchase a timeshare, cancel the agreement and receive a refund of any consideration paid by providing written notice of the cancellation to the promoter or the promoter's agent either by mail or hand delivery. If the purchaser does not receive the disclosure document, the agreement is voidable by the purchaser until the purchaser receives the document and for seven days thereafter.

NEW SECTION. Sec. 15. No provision of this chapter imposing any liability applies to any act or omission in good faith in conformity with any rule, form, or order of the director, notwithstanding that the rule, form, or order may later be amended or rescinded or determined by judicial or other authority to be invalid for any reason.

NEW SECTION. Sec. 16. Any failure to comply with this chapter constitutes an unfair and deceptive trade practice under chapter 19.86 RCW.

NEW SECTION. Sec. 17. (1) Upon the entry of an order under section 9, 10, or 19 of this act, the director shall promptly notify the applicant or registrant that it has been entered and the reasons therefor, and that if requested in writing by the applicant or registrant within fifteen days after the receipt of the director's notification, the matter will be scheduled for hearing in accordance with subsections (2) and (3) of this section.

(2) Upon entry of a summary order, the following shall apply:

(a) If entry of the summary order results in the denial of an application under section 9 or 10 of this act, the hearing shall be held within a reasonable time and in accordance with chapter 34.04 RCW.

(b) If entry of the summary order results in the revocation or suspension of a registration under section 9 or 10 of this act, the registrant shall have an opportunity within ten days of receipt of such order to appear before the director or securities administrator to show cause why the summary order should not remain in effect. If the director or securities administrator finds that good cause is shown, he or she shall vacate the summary order. If he or she finds that good cause is not shown, the summary order shall remain in

effect and the director shall give notice of opportunity for hearing which shall be held within a reasonable time

(3) Upon entry of any nonsummary order under section 9 or 10 of this act, the hearing shall be held within a reasonable time and in accordance with chapter 34.04 RCW.

(4) If the applicant or registrant does not request a hearing within fifteen days after receipt of notice of opportunity for hearing, the order shall become final.

NEW SECTION. Sec. 18. (1) The director may:

(a) Make public or private investigations within or outside the state to determine whether any registration should be granted, denied, or revoked or whether any person has violated or is about to violate any provision of this chapter or any rule or order issued under this chapter, or to aid in the enforcement of this chapter and rules or orders issued under this chapter;

(b) Administer oaths and affirmations, subpoena witnesses and compel their attendance, take evidence and require the production of any books, papers, correspondence, memoranda, agreements, or other documents or records which the director considers relevant to the inquiry;

(c) Publish information concerning any violation of this chapter or any rule or order issued under this chapter.

(2) If any person fails to comply with a lawful subpoena, refuses to testify under lawful interrogation, or refuses to produce documents and records, the director may apply to the superior court of any county for relief. After satisfactory evidence of wilful disobedience, the court may compel obedience by proceedings for contempt.

NEW SECTION. Sec. 19. (1) The director may order any person to cease and desist from an act or practice if it appears that the person is violating or is about to violate any provision of this chapter or any rule or order issued under this chapter.

(2) Upon the entry of the temporary order to cease and desist, the director shall promptly notify the recipient of the order that it has been entered and the reasons therefor and that if requested in writing by such person within fifteen days after receipt of the director's notification, the matter will be scheduled for hearing which shall be held within a reasonable time and in accordance with chapter 34.04 RCW. The temporary order shall remain in effect until ten days after the hearing is held.

(3) If a person does not request a hearing within fifteen days after receipt of notice of opportunity for hearing, the order shall become final.

NEW SECTION. Sec. 20. It is unlawful for any person in connection with the offer, sale, or lease of any timeshare in the state:

(1) To make any untrue or misleading statement of a material fact, or to omit a material fact;

(2) To employ any device, scheme, or artifice to defraud;

(3) To engage in any act, practice, or course of business which operates or would operate as a fraud or deceit upon any person;

(4) To file, or cause to be filed, with the director any document which contains any untrue or misleading information; or

(5) To violate any rule or order of the director.

NEW SECTION. Sec. 21. (1) The attorney general, in the name of the state or the director, may bring an action to enjoin any person from violating any provision of this chapter. Upon a proper showing, the superior court shall grant a permanent or temporary injunction, restraining order, or writ of mandamus. The court may make any additional orders or judgments which may be necessary to restore to any person any interest in any money or property, real or personal, which may have been acquired by means of any act prohibited or declared to be unlawful under this chapter. The prevailing party may recover costs of the action, including a reasonable attorney's fee.

(2) The superior court issuing an injunction shall retain jurisdiction. Any person who violates the terms of an injunction shall pay a civil penalty of not more than twenty-five thousand dollars.

(3) The attorney general, in the name of the state or the director, may apply to the superior court to appoint a receiver or conservator for any person, or the assets of any person, who is subject to a cease and desist order, permanent or temporary injunction, restraining order, or writ of mandamus.

(4) Any person who violates any provision of this chapter is subject to a civil penalty not to exceed two thousand dollars for each violation. Civil penalties authorized by this subsection shall be imposed in a civil action brought by the attorney general and shall be deposited in the general fund of the state treasury. Any action for recovery of a civil penalty shall be commenced within five years of the date of the alleged violation.

NEW SECTION. Sec. 22. (1) Any person who violates section 2 of this act is guilty of a gross misdemeanor punishable under chapter 9A.20 RCW. Any person who knowingly violates section 2 or 20 of this act is guilty of a class C felony punishable under chapter 9A.20 RCW. No indictment or information for a felony may be returned under this chapter more than five years after the alleged violation.

(2) The director may refer evidence concerning violations of this chapter to the attorney general or the proper prosecuting attorney who may, with or without this reference, institute appropriate criminal proceedings.

NEW SECTION. Sec. 23. Any person who offers, sells, or materially aids in such offer or sale of a timeshare in violation of this chapter is liable to the person buying the timeshare who may sue either at law or in equity to recover the consideration paid for the timeshare, together with interest at ten percent per annum from date of payment and costs upon the tender of the timeshare, or for damages if the person no longer owns the timeshare.

NEW SECTION. Sec. 24. Every applicant for registration under this chapter shall file with the director, in a form the director prescribes by rule, an irrevocable consent appointing the director to be the attorney of the applicant to receive service of any lawful process in any civil suit, action, or proceeding against the applicant or the applicant's successor, executor, or administrator which arises under this chapter or any rule or order issued under this chapter after the consent has been filed, with the same force and validity as if served personally on the person filing the consent. Service may be made by leaving a copy of the process in the office of the director, but it is not effective unless: (1) The plaintiff, who may be the director in a suit, action, or proceeding instituted by the director, forthwith sends notice of the service and a copy of the process by certified mail to the defendant or respondent at the last address of the respondent or defendant on file with the director; and (2) the plaintiff's affidavit of compliance with this section is filed in the case on or before the return day of the process, if any, or within such further time as the court allows.

NEW SECTION. Sec. 25. Neither the fact that an application for registration nor a disclosure document under section 3 of this act has been filed, nor the fact that a timeshare offering is effectively registered, constitutes a finding by the director that any document filed under this chapter is true, complete, and not misleading, nor does either fact mean that the director has determined in any way the merits of, qualifications of, or recommended or given approval to any person, timeshare, or transaction. It is unlawful to make, or cause to be made, to any prospective purchaser any representation inconsistent with this section.

NEW SECTION. Sec. 26. The director may make, amend, and repeal rules, forms, and orders when necessary to carry out this chapter. The director may honor requests for interpretive opinions.

NEW SECTION. Sec. 27. The director shall appoint a competent person within the department of licensing to administer this chapter. The director shall delegate to the administrator any powers, subject to the authority of the director, which may be necessary to carry out this chapter. The administrator shall hold office at the pleasure of the director.

NEW SECTION. Sec. 28. (1) All timeshares registered under this act are exempt from chapters 21.20, 58.19, and 19.105 RCW.

(2) This chapter shall not apply to any enterprise that has as its primary purpose camping and outdoor recreation and includes or will include spaces designed and promoted for the purpose of locating a trailer, tent, tent trailer, pick-up camper, or other similar device used for land-based portable housing.

NEW SECTION. Sec. 29. The director shall charge and collect fees fixed by this section. All fees collected under this chapter shall be deposited

in the state treasury and shall not be refundable except as provided in this chapter:

(1) The initial fee for filing an application for registration for sale of a timeshare under section 2 of this act is five hundred dollars. Any filing containing over four hundred intervals shall pay an additional fee of four dollars for each of those additional intervals.

(2) For an application for renewal of registration, the fee is one hundred fifty dollars.

(3) For an initial application or renewal of registration of a timeshare salesperson, the fee is twenty-five dollars.

(4) For an amendment of registration as required in section 6(3) of this act, the fee shall be one hundred fifty dollars.

NEW SECTION. Sec. 30. Chapter 34.04 RCW applies to any administrative procedures carried out by the director under this chapter unless otherwise provided in this chapter.

NEW SECTION. Sec. 31. (1) No person may publish any advertisement in this state offering a timeshare which is subject to the registration requirements of section 2 of this act unless a true copy of the advertisement has been filed in the office of the director at least seven days before publication or a shorter period which the director by rule may establish. The right to subsequently publish the advertisement is subject to the approval of the director within that seven day period.

(2) Nothing in this chapter applies to any radio or television station or any publisher, printer, or distributor of any newspaper, magazine, billboard, or other advertising medium which accepts advertising in good faith without knowledge of its violation of any provision of this chapter.

NEW SECTION. Sec. 32. This chapter may be known and cited as "The Timeshare Act."

NEW SECTION. Sec. 33. There is appropriated to the department of licensing from the general fund for the biennium ending June 30, 1985, the sum of one hundred thirty thousand dollars, or so much thereof as may be necessary, to carry out the purposes of this act.

NEW SECTION. Sec. 34. Sections 1 through 32 of this act shall constitute a new chapter in Title 64 RCW.

NEW SECTION. Sec. 35. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 36. This act shall take effect August 1, 1983 and shall terminate June 30, 1987 as provided in section 37 of this act.

NEW SECTION. Sec. 37. Sections 1 through 35 of this act as now existing or hereafter amended, and corresponding RCW sections are each repealed, effective June 30, 1987.

Passed the Senate May 7, 1983.

Passed the House May 6, 1983.

Approved by the Governor May 13, 1983.

Filed in Office of Secretary of State May 13, 1983.

CHAPTER 23

[Engrossed Substitute Senate Bill No. 3311]

UNEMPLOYMENT COMPENSATION REVISIONS

AN ACT Relating to unemployment compensation; amending section 4, chapter 3, Laws of 1971 and RCW 50.04.073; amending section 10, chapter 35, Laws of 1945 as last amended by section 1, chapter 73, Laws of 1977 ex. sess. and RCW 50.04.090; amending section 13, chapter 35, Laws of 1945 as amended by section 8, chapter 3, Laws of 1971 and RCW 50.04.115; amending section 13, chapter 18, Laws of 1982 1st ex. sess. and RCW 50.04.145; amending section 13, chapter 35, Laws of 1981 and RCW 50.04.165; amending section 22, chapter 35, Laws of 1945 and RCW 50.04.210; amending section 33, chapter 35, Laws of 1945 as last amended by section 1, chapter . . . (HB 787), Laws of 1983 and RCW 50.04.320; amending section 19, chapter 2, Laws of 1970 ex. sess. as last amended by section 1, chapter 35, Laws of 1981 and RCW 50.04.323; amending section 46, chapter 35, Laws of 1945 as last amended by section 3, chapter 33, Laws of 1977 ex. sess. and RCW 50.12.070; amending section 47, chapter 35, Laws of 1945 as amended by section 2, chapter 215, Laws of 1951 and RCW 50.12.080; amending section 61, chapter 35, Laws of 1945 as last amended by section 12, chapter 40, Laws of 1975 and RCW 50.16.020; amending section 80, chapter 35, Laws of 1945 as last amended by section 5, chapter 35, Laws of 1981 and RCW 50.20.120; amending section 81, chapter 35, Laws of 1945 as last amended by section 3, chapter 7, Laws of 1973 2nd ex. sess. and RCW 50.20.130; amending section 5, chapter 1, Laws of 1971 and RCW 50.22.040; amending section 90, chapter 35, Laws of 1945 as amended by section 5, chapter 286, Laws of 1955 and RCW 50.24.020; amending section 94, chapter 35, Laws of 1945 and RCW 50.24.060; amending section 15, chapter 228, Laws of 1975 1st ex. sess. as amended by section 8, chapter 190, Laws of 1979 ex. sess. and RCW 50.24.115; amending section 10, chapter 2, Laws of 1970 ex. sess. as last amended by section 11, chapter 158, Laws of 1973 1st ex. sess. and RCW 50.29.010; amending section 15, chapter 2, Laws of 1970 ex. sess. as amended by section 13, chapter 158, Laws of 1973 1st ex. sess. and RCW 50.29.060; amending section 16, chapter 2, Laws of 1970 ex. sess. as amended by section 14, chapter 158, Laws of 1973 1st ex. sess. and RCW 50.29.070; amending section 119, chapter 35, Laws of 1945 as last amended by section 7, chapter 266, Laws of 1959 and RCW 50.32.030; amending section 121, chapter 35, Laws of 1945 as amended by section 24, chapter 214, Laws of 1949 and RCW 50.32.050; amending section 15, chapter 292, Laws of 1977 ex. sess. and RCW 50.44.035; amending section 22, chapter 3, Laws of 1971 as last amended by section 12, chapter 35, Laws of 1981 and RCW 50.44.050; amending section 23, chapter 3, Laws of 1971 as amended by section 19, chapter 292, Laws of 1977 ex. sess. and RCW 50.44.060; creating a new section; providing effective dates; and declaring an emergency.

Be it enacted by the Legislature of the State of Washington:

Sec. 1. Section 4, chapter 3, Laws of 1971 and RCW 50.04.073 are each amended to read as follows:

The term "contributions" as used in this title shall be deemed to include "payments in lieu of contributions" to the extent that such usage is consistent with the purposes of this title. Such construction shall include but not