

# HOUSE BILL REPORT

## HB 2300

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As Amended by Senate

**Title:** An act relating to offender work programs.

**Brief Description:** Revising provisions relating to offender eligibility for unemployment compensation benefits.

**Sponsors:** Representatives Morris, Padden, Long, King and Brough; by request of Department of Corrections and Employment Security Department.

**Brief History:**

Reported by House Committee on:  
Commerce & Labor, February 4, 1994, DP;  
Passed House, February 14, 1994, 95-0;  
Amended by Senate.

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**HOUSE COMMITTEE ON COMMERCE & LABOR**

**Majority Report:** Do pass. Signed by 7 members:  
Representatives G. Cole, Vice Chair; Chandler, Assistant  
Ranking Minority Member; Conway; Horn; King; Springer and  
Veloria.

**Minority Report:** Do not pass. Signed by 2 members:  
Representatives Heavey, Chair; and Lisk, Ranking Minority  
Member.

**Staff:** Jim Kelley (786-7166).

**Background:** The Division of Correctional Industries develops and implements programs designed to offer inmates employment, work experience and training, and to reduce the tax burden of corrections. Products and services provided by Correctional Industries' programs are offered to the public, governmental agencies, non-profit organizations and the correctional system. The Division of Correctional Industries operates five classes of work programs. "Class I: Free Venture Industries" allows private sector companies to set up factories within the corrections institutions. Inmates who work in Class I Free Venture Industries must be paid a wage comparable to the wage paid for similar work in the locality as determined by the director. If the director cannot reasonably determine the comparable wage, then the pay shall be not less than the federal minimum wage.

In general, an incarcerated individual is disqualified from receiving unemployment benefits because he or she is not available for work. However, a worker who is on standby status with an employer is not required to be available for other work in order to receive benefits. Therefore, it is possible that an incarcerated individual could be eligible to receive unemployment benefits.

**Summary of Bill:** References in the law to the inmate work program are changed to "offender work program" and the participants are referred to as "offenders."

An offender who is employed in the Class I program of correctional industries is ineligible for unemployment compensation benefits until he or she is released on parole or discharged.

**EFFECT OF SENATE AMENDMENT(S):** References to "offenders" are deleted and the term "inmate" is reinserted.

**Fiscal Note:** Available.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** The policy of the state has been that inmates do not receive unemployment benefits while incarcerated. This bill closes a loop hole.

**Testimony Against:** None.

**Witnesses:** Janeen Wadsworth, Department of Corrections; and Graeme Sackrison, Employment Security Department.

**VOTE ON FINAL PASSAGE:**

Yeas 95; Excused 3

Excused: Representatives Cothorn, Lisk, Riley