

SENATE BILL REPORT

SSB 6354

As Amended by House, March 1, 2012

Title: An act relating to filing of business forms with state agencies.

Brief Description: Requiring state agencies to offer electronic filing for business forms.

Sponsors: Senate Committee on Economic Development, Trade & Innovation (originally sponsored by Senators Rolfes, Kastama, Chase, Tom, Frockt and McAuliffe).

Brief History:

Committee Activity: Economic Development, Trade & Innovation: 1/23/12, 1/26/12 [DPS].

Passed Senate: 2/09/12, 47-0.

Passed House: 3/01/12, 92-4.

SENATE COMMITTEE ON ECONOMIC DEVELOPMENT, TRADE & INNOVATION

Majority Report: That Substitute Senate Bill No. 6354 be substituted therefor, and the substitute bill do pass.

Signed by Senators Kastama, Chair; Chase, Vice Chair; Baumgartner, Ranking Minority Member; Ericksen, Hatfield, Holmquist Newbry, Kilmer, Shin and Zarelli.

Staff: Edward Redmond (786-7471)

Background: The Business License Service (BLS), within the Department of Revenue, provides a single location where businesses may apply for a master license incorporating separate licenses issued by different state agencies. Presently over 100 state licenses, 200 state endorsements, and 70 city licenses are available via BLS. BLS provisions do not apply to certain regulated business and professional activities including those regulated under the Consumer Loan Act, credit unions, banks and trust companies, mutual savings banks, savings and loan associations, and those regulated under the insurance statutes.

In addition to licensure requirements, there are also agency specific documents, forms, and fees that a business must take notice of and timely satisfy. Currently agencies are not required by statute to provide businesses with an electronic option for completing such materials.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Summary of Substitute Bill: A state agency that requires a business to submit a document, form, or payment of fee in paper format must, with limited exceptions, provide the business with an option to submit such materials electronically. Unless otherwise obligated, a business may authorize a second party to submit such filing requirements on its behalf.

Exceptions to the electronic filing requirement apply where there is a legal requirement for materials to be submitted in paper format or when it is not feasible for such materials to be submitted electronically. If applicable, the director of an agency or the director's designee must, within existing resources, establish and maintain a process to notify the public as to what materials have been exempt from electronic filing.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

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

Staff Summary of Public Testimony on Original Bill: PRO: This bill is being brought forward as a precautionary measure as the Legislature looks at creating a centralized web portal. When we initially started looking into this bill over the summer, we looked at all the different agency codes in statute. Some agencies required certified copies and written statements to be submitted. Instead of going through each piece of the code and writing or electronic option, we decided to write an overriding section that calls for all agencies to provide an electronic option for businesses. This bill allows the agencies to figure out how they want to implement this; it could be as simple as allowing businesses to send documents via PDF.

Persons Testifying: PRO: Senator Rolfes, prime sponsor.

House Amendment(s):

- Provides that a document, form, or payment of a fee may be exempt from the requirements of the act if electronic submission is not technically or fiscally feasible or practical, or in the best interests of businesses.
- Requires that agencies must add the capability for electronic submissions of existing documents, forms, and fees as part of their normal operations.
- Requires that new documents, forms, and fees required of a business must be capable of electronic submission within a reasonable time following either their creation or the implementation of the new requirement.
- Requires that agencies document how they plan to transition from paper to electronic forms.