
SENATE BILL 5726

State of Washington 63rd Legislature 2013 Regular Session

By Senators Braun, Tom, Bailey, Schoesler, Padden, and Benton

Read first time 02/12/13. Referred to Committee on Commerce & Labor.

1 AN ACT Relating to geographic limitations on local paid sick leave
2 and paid safe leave programs; adding a new section to chapter 35.21
3 RCW; adding a new section to chapter 35A.21 RCW; and adding a new
4 section to chapter 36.01 RCW.

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

6 NEW SECTION. **Sec. 1.** A new section is added to chapter 35.21 RCW
7 to read as follows:

8 (1) No city or town may apply a paid sick leave or paid safe leave
9 program to:

10 (a) An employer whose principal place of business is outside the
11 limits of the city or town's territorial jurisdiction; or

12 (b) An employee whose principal place of employment is outside the
13 limits of the city or town's territorial jurisdiction regardless of
14 whether the employer's principal place of business is within the city
15 or town's territorial jurisdiction.

16 (2) Any ordinance, code, regulation, or rule enacted on or after
17 the effective date of this section, or in effect on the effective date
18 of this section, is unenforceable with respect to an employer whose
19 principal place of business is outside the limits of the city or town's

1 territorial jurisdiction or to an employee whose principal place of
2 employment is outside the limits of the city or town's territorial
3 jurisdiction.

4 (3) For purposes of this section:

5 (a) "Paid sick leave" means paid leave:

6 (i) Due to the employee's mental or physical illness, injury, or
7 health condition; need for medical diagnosis, care, or treatment of a
8 mental or physical illness, injury, or health condition; or need for
9 preventive medical care; or

10 (ii) To allow the employee to provide care of a family member with
11 a mental or physical illness, injury, or health condition; who needs
12 medical diagnosis, care, or treatment of a mental or physical illness,
13 injury, or health condition; or who needs preventive medical care.

14 (b) "Paid safe leave" means paid leave:

15 (i) Due to an employee's place of business, or the school or place
16 of care of an employee's child, being closed by order of a public
17 official to limit exposure to an infectious agent, biological toxin, or
18 hazardous material; or

19 (ii) Due to an employee or an employee's family member being a
20 victim of domestic violence, sexual assault, or stalking.

21 (4) This section may not be construed to impair any provision in a
22 collective bargaining agreement.

23 NEW SECTION. **Sec. 2.** A new section is added to chapter 35A.21 RCW
24 to read as follows:

25 (1) No code city may apply a paid sick leave or paid safe leave
26 program to:

27 (a) An employer whose principal place of business is outside the
28 limits of the code city's territorial jurisdiction; or

29 (b) An employee whose principal place of employment is outside the
30 limits of the code city's territorial jurisdiction regardless of
31 whether the employer's principal place of business is within the code
32 city's territorial jurisdiction.

33 (2) Any ordinance, code, regulation, or rule enacted on or after
34 the effective date of this section, or in effect on the effective date
35 of this section, is unenforceable with respect to an employer whose
36 principal place of business is outside the limits of the code city's

1 territorial jurisdiction or to an employee whose principal place of
2 employment is outside the limits of the code city's territorial
3 jurisdiction.

4 (3) For purposes of this section:

5 (a) "Paid sick leave" means paid leave:

6 (i) Due to the employee's mental or physical illness, injury, or
7 health condition; need for medical diagnosis, care, or treatment of a
8 mental or physical illness, injury, or health condition; or need for
9 preventive medical care; or

10 (ii) To allow the employee to provide care of a family member with
11 a mental or physical illness, injury, or health condition; who needs
12 medical diagnosis, care, or treatment of a mental or physical illness,
13 injury, or health condition; or who needs preventive medical care.

14 (b) "Paid safe leave" means paid leave:

15 (i) Due to an employee's place of business, or the school or place
16 of care of an employee's child, being closed by order of a public
17 official to limit exposure to an infectious agent, biological toxin, or
18 hazardous material; or

19 (ii) Due to an employee or an employee's family member being a
20 victim of domestic violence, sexual assault, or stalking.

21 (4) This section may not be construed to impair any provision in a
22 collective bargaining agreement.

23 NEW SECTION. **Sec. 3.** A new section is added to chapter 36.01 RCW
24 to read as follows:

25 (1) No county may apply a paid sick leave or paid safe leave
26 program to:

27 (a) An employer whose principal place of business is outside the
28 limits of the county's territorial jurisdiction; or

29 (b) An employee whose principal place of employment is outside the
30 limits of the county's territorial jurisdiction regardless of whether
31 the employer's principal place of business is within the county's
32 territorial jurisdiction.

33 (2) Any ordinance, code, regulation, or rule enacted on or after
34 the effective date of this section, or in effect on the effective date
35 of this section, is unenforceable with respect to an employer whose
36 principal place of business is outside the limits of the county's

1 territorial jurisdiction or to an employee whose principal place of
2 employment is outside the limits of the county's territorial
3 jurisdiction.

4 (3) For purposes of this section:

5 (a) "Paid sick leave" means paid leave:

6 (i) Due to the employee's mental or physical illness, injury, or
7 health condition; need for medical diagnosis, care, or treatment of a
8 mental or physical illness, injury, or health condition; or need for
9 preventive medical care; or

10 (ii) To allow the employee to provide care of a family member with
11 a mental or physical illness, injury, or health condition; who needs
12 medical diagnosis, care, or treatment of a mental or physical illness,
13 injury, or health condition; or who needs preventive medical care.

14 (b) "Paid safe leave" means paid leave:

15 (i) Due to an employee's place of business, or the school or place
16 of care of an employee's child, being closed by order of a public
17 official to limit exposure to an infectious agent, biological toxin, or
18 hazardous material; or

19 (ii) Due to an employee or an employee's family member being a
20 victim of domestic violence, sexual assault, or stalking.

21 (4) This section may not be construed to impair any provision in a
22 collective bargaining agreement.

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