
SENATE BILL 5728

State of Washington 63rd Legislature 2013 Regular Session

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

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

1 AN ACT Relating to state preemption of local paid sick and paid
2 safe leave regulation; adding a new section to chapter 35.21 RCW;
3 adding a new section to chapter 35A.21 RCW; adding a new section to
4 chapter 36.01 RCW; and adding a new chapter to Title 49 RCW.

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

6 NEW SECTION. **Sec. 1.** (1) The state of Washington hereby occupies
7 and preempts the entire field regarding paid sick leave and paid safe
8 leave regulation for private employers within the boundaries of the
9 state. Local laws and ordinances that require or regulate paid sick
10 leave or paid safe leave in excess of standards adopted by the state
11 shall not be enacted and are preempted and unenforceable, regardless of
12 the nature of the code, charter, or home rule status of such city, code
13 city, town, or county. The state preemption created in this section
14 applies to all ordinances, codes, regulations, and rules pertaining to
15 paid sick or paid safe leave adopted at any time.

16 (2) For purposes of this section:

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

18 (i) Due to the employee's mental or physical illness, injury, or

1 health condition; need for medical diagnosis care, or treatment of a
2 mental or physical illness, injury, or health condition; or need for
3 preventive medical care; or

4 (ii) To allow the employee to provide care of a family member with
5 a mental or physical illness, injury, or health condition; who needs
6 medical diagnosis, care, or treatment of a mental or physical illness,
7 injury, or health condition; or who needs preventive medical care.

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

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

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

15 NEW SECTION. **Sec. 2.** Sections 1 of this act constitutes a new
16 chapter in Title 49 RCW.

17 NEW SECTION. **Sec. 3.** A new section is added to chapter 35.21 RCW
18 to read as follows:

19 Section 1 of this act governs the authority of a city or town to
20 enact or regulate paid sick leave and paid safe leave programs.

21 NEW SECTION. **Sec. 4.** A new section is added to chapter 35A.21 RCW
22 to read as follows:

23 Section 1 of this act governs the authority of a code city to enact
24 or regulate paid sick leave and paid safe leave programs.

25 NEW SECTION. **Sec. 5.** A new section is added to chapter 36.01 RCW
26 to read as follows:

27 Section 1 of this act governs the authority of a county to enact or
28 regulate paid sick leave and paid safe leave programs.

--- END ---