



# EXPEDITED RULE MAKING

## CR-105 (December 2017) (Implements RCW 34.05.353)

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STATE OF WASHINGTON  
FILED

DATE: November 03, 2021

TIME: 7:57 AM

WSR 21-22-110

**Agency:** Employment Security Department

**Title of rule and other identifying information:** (describe subject) Amending the definition of domestic violence in WAC 192-150-112: Definitions—Domestic violence and stalking—RCW 50.20.050(1)(b)(iv) and (2)(b)(iv).

**Purpose of the proposal and its anticipated effects, including any changes in existing rules:** The expedited rule amends WAC 192-150-112 so that the definition of domestic violence is consistent with the definition contained in section 2 of Engrossed Second Substitute House Bill 1320 (Chapter 215, Laws of 2021). Section 2 of Engrossed Second Substitute House Bill 1320 (Chapter 215, Laws of 2021) will be codified at RCW 7.105.010.

**Reasons supporting proposal:** Engrossed Second Substitute House Bill 1320 (Chapter 215, Laws of 2021) updated the definition of domestic violence. This definition goes into effect on July 1, 2022. Also effective July 1, 2022, under RCW 50.20.050, it is good cause to quit if the separation was necessary to protect the claimant or the claimant's immediate family member from domestic violence, as defined in section 2 of ESSHB 1320, or stalking, as defined in RCW 9A.46.110. Section 2 of Engrossed Second Substitute House Bill 1320 (Chapter 215, Laws of 2021) will be codified at RCW 7.105.010.

**Statutory authority for adoption:** RCW 50.12.010 and RCW 50.12.040 provide general rulemaking authority to the Employment Security Department. Effective July 1, 2022, under RCW 50.20.050, it is good cause to quit if the separation was necessary to protect the claimant or the claimant's immediate family member from domestic violence, as defined in section 2 of ESSHB 1320, or stalking, as defined in RCW 9A.46.110. .

**Statute being implemented:** Engrossed Second Substitute House Bill 1320 (Chapter 215, Laws of 2021), Sections 2 and 153; RCW 50.20.050

**Is rule necessary because of a:**

- |                         |                              |  |
|-------------------------|------------------------------|--|
| Federal Law?            | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| Federal Court Decision? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| State Court Decision?   | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |

If yes, CITATION:

**Name of proponent:** (person or organization) Employment Security Department

- Private  
 Public  
 Governmental

**Name of agency personnel responsible for:**

	Name	Office Location	Phone
Drafting:	Josh Dyel	Olympia	360-890-3472
Implementation:	Julie Lord	Olympia	360-890-9579
Enforcement:	Julie Lord	Olympia	360-890-9579

**Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:** None

**Expedited Adoption - Which of the following criteria was used by the agency to file this notice:**

- Relates only to internal governmental operations that are not subject to violation by a person;
- Adopts or incorporates by reference without material change federal statutes or regulations, Washington state statutes, rules of other Washington state agencies, shoreline master programs other than those programs governing shorelines of statewide significance, or, as referenced by Washington state law, national consensus codes that generally establish industry standards, if the material adopted or incorporated regulates the same subject matter and conduct as the adopting or incorporating rule;
- Corrects typographical errors, make address or name changes, or clarify language of a rule without changing its effect;
- Content is explicitly and specifically dictated by statute;
- Have been the subject of negotiated rule making, pilot rule making, or some other process that involved substantial participation by interested parties before the development of the proposed rule; or
- Is being amended after a review under RCW 34.05.328.

**Expedited Repeal - Which of the following criteria was used by the agency to file notice:**

- The statute on which the rule is based has been repealed and has not been replaced by another statute providing statutory authority for the rule;
- The statute on which the rule is based has been declared unconstitutional by a court with jurisdiction, there is a final judgment, and no statute has been enacted to replace the unconstitutional statute;
- The rule is no longer necessary because of changed circumstances; or
- Other rules of the agency or of another agency govern the same activity as the rule, making the rule redundant.

**Explanation of the reason the agency believes the expedited rule-making process is appropriate pursuant to RCW 34.05.353(4):** The expedited rule amends WAC 192-150-112 so that the definition of domestic violence is consistent with the definition contained in section 2 of Engrossed Second Substitute House Bill 1320 (Chapter 215, Laws of 2021). Section 2 of Engrossed Second Substitute House Bill 1320 (Chapter 215, Laws of 2021) will be codified at RCW 7.105.010.

**NOTICE**

**THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO**

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**AND RECEIVED BY** (date) January 4, 2022

**Date:** November 3, 2021

**Name:** Dan Zeitlin

**Title:** Employment System Policy Director

**Signature:**

