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HOUSE BILL 1398

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State of Washington

68th Legislature

2023 Regular Session

By Representative Chapman

1 AN ACT Relating to requiring state agencies to share information  
2 to encourage rural economic development; amending RCW 39.12.015;  
3 adding a new section to chapter 43.330 RCW; and adding a new section  
4 to chapter 49.04 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 43.330  
7 RCW to read as follows:

8 (1) The department must collect the following information in the  
9 possession of the department of revenue, the department of labor and  
10 industries, the employment security department, and the department of  
11 licensing about each business in Washington state:

12 (a) The business's annual revenue;

13 (b) The number of employees that the business employs, and their  
14 occupations;

15 (c) The business's aggregated payroll; and

16 (d) The North American industry classification system (NAICS)  
17 code assigned to that business.

18 (2) The information obtained by the department under this section  
19 and in the department's possession is exempt from public inspection  
20 and copying pursuant to chapter 42.56 RCW. This section does not

1 affect whether another agency may be required or prohibited by law to  
2 disclose any of this information that is in its possession.

3 (3) The department must permit contracting associate development  
4 organizations to have access to the data collected under this section  
5 from the county for which they are designated. The organizations must  
6 keep confidential any data received under this section, except that  
7 they may provide organizations applying for grant funding with  
8 aggregated data.

9 **Sec. 2.** RCW 39.12.015 and 2019 c 29 s 2 are each amended to read  
10 as follows:

11 (1) All determinations of the prevailing rate of wage shall be  
12 made by the industrial statistician of the department of labor and  
13 industries.

14 (2) The time period for recovery of any wages owed to a worker  
15 affected by the determination is tolled until the prevailing wage  
16 determination is final.

17 (3)(a) Except as provided in RCW 39.12.017, and notwithstanding  
18 RCW 39.12.010(1), the industrial statistician shall establish the  
19 prevailing rate of wage by adopting the hourly wage, usual benefits,  
20 and overtime paid for the geographic jurisdiction established in  
21 collective bargaining agreements for those trades and occupations  
22 that have collective bargaining agreements. For trades and  
23 occupations with more than one collective bargaining agreement in the  
24 county, the higher rate will prevail.

25 (b) For trades and occupations in which there are no collective  
26 bargaining agreements in the county, the industrial statistician  
27 shall establish the prevailing rate of wage as defined in RCW  
28 39.12.010 by conducting wage and hour surveys. In instances when  
29 there are no applicable collective bargaining agreements and  
30 conducting wage and hour surveys is not feasible, the industrial  
31 statistician may employ other appropriate methods to establish the  
32 prevailing rate of wage.

33 (4) Beginning January 1, 2024, the department shall publish on  
34 its website copies of the collective bargaining agreements the  
35 industrial statistician relied upon to establish the prevailing rate  
36 of wage for each trade and occupation. Whenever the industrial  
37 statistician updates the prevailing wage rate for a trade or  
38 occupation, the department shall update its website to publish the

1 most recent collective bargaining agreement relied upon to establish  
2 the updated prevailing rate of wage.

3 NEW SECTION. **Sec. 3.** A new section is added to chapter 49.04  
4 RCW to read as follows:

5 Beginning January 1, 2024, the department of labor and industries  
6 shall compile aggregate data on the number of apprentices residing in  
7 each county categorized by occupation and publish the aggregate data  
8 on its website. The department shall update the aggregate data on its  
9 website every quarter.

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