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SENATE BILL 5774

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State of Washington

65th Legislature

2017 Regular Session

By Senator Chase

1 AN ACT Relating to disqualifying employers from tax credits and  
2 tax incentives when there have been certain violations of labor  
3 relations; and adding a new section to chapter 82.02 RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 82.02  
6 RCW to read as follows:

7 (1) Beginning with taxes due and payable in calendar year 2018, a  
8 person may not claim any tax credit or benefit from any tax incentive  
9 for taxes due and payable during the calendar year if, within the  
10 previous five years from the date the person is claiming a tax credit  
11 or benefiting from a tax incentive, the national labor relations  
12 board or a court has issued a final order finding that the person  
13 engaged in the unfair labor practice of unlawfully discharging,  
14 constructively discharging, locking out, laying off, failing to  
15 recall from layoff, or suspending employees because they support a  
16 union or engaged in lawful union activities.

17 (2) A determination of whether a person is ineligible for a tax  
18 credit or tax incentive will be made only if, before the person  
19 claims a tax credit or tax incentive for taxes payable for the  
20 calendar year, the department receives written notification that the  
21 person is ineligible. If the department receives timely written

1 notification that a person claiming a tax credit or tax incentive is  
2 ineligible under this section, the department must make a  
3 determination. For the purposes of making a determination, the  
4 department may request additional information or documentation from  
5 the person who submitted written notification that a credit should be  
6 disallowed and from the person claiming the tax credit or tax  
7 incentive.

8 (3) For the purposes of this section, "person" has the same  
9 meaning as provided in RCW 82.04.030.

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