

2021-22 Legislative Bill Activity – Week of 3/8/2021

Bill Number	Title (& short summary)	Sponsor	Current Bill Status
CPARB SPONSORED BILLS, SUPPORTED BILLS OR REQUESTING ACTIVITY			
SB 5032	<p>Reauthorization and Improvements to Alternative Public Works Contracting Procedures:</p> <ul style="list-style-type: none"> • Extends the use of alternative public works contracting procedures until July 1, 2031. • Amends the duties and membership of the Capital Projects Advisory Review Board. • Amends the design-build, general contractor/construction manager, and job order contracting procedures. • Requires the Capital Projects Advisory Review Board to develop best practices for increasing and sustaining access to contracting opportunities in alternative public works for minority, women, and veteran-owned businesses, and small businesses, and report to the Legislature any recommendations for changes to the statute by June 30, 2022. 	Hasegawa, Warnick, Kuderer, C Wilson	<p>2/19 Exec Session – Capital Budget 2/17 Public Hearing – Capital Budget 2/8 1st Read Referred to Capital Budget 2/3 PASSED Senate</p>
BILLS OF INTEREST – ACTIVE (changes highlighted)			
HB 1023	<p>Concerning predesign requirements and thresholds.</p> <ul style="list-style-type: none"> • Increases the threshold for non-higher education capital construction projects requiring predesign to \$10 million, which establishes the same threshold for all capital project types. • Provides the Office of Financial Management (OFM) the authority to waive some or all predesign requirements on capital projects exceeding the \$10 million threshold. • Requires the OFM to notify the legislative fiscal committees of any waivers. 	Steele, Thranger, Callan, Young	<p>3/2 1st Reading – Referred to Ways and Means 2/26 Rules Suspended – Placed on 3rd Reading 2/23 Rules Relieved – Placed on 2nd Reading 2/19 Referred to Rules 2 Review 2/17 Exec Session – Cap Budget – Pass 2/9 Exec Session – Cap Budget 2/2 Exec Session – Cap Budget no action 1/19 Pub Hearing- Capital Budget 1/11 1st reading, referred to Capital Budget 12/14 Pre-filed</p>
ESHB 1056	<p>Open Public Meeting notice requirements and declared emergencies:</p> <ul style="list-style-type: none"> • Allows a public agency to hold meetings of its governing body remotely, or with limited in-person attendance after a declared emergency. • Requires that the public be allowed to listen in, in real time and at no cost to meetings that are held remotely or with limited in-person attendance. • Requires all public agencies, except for certain special purpose districts, cities, and towns to post agendas online for regular meetings and for special meetings held remotely or with limited in-person attendance. 	Pollet, Goehner, Kloba, Lekanoff, Leavitt, Senn, Callan, Fey	<p>3/12 Exec Session; State Gov & Elect @ 10:30 am 2/12 Public Hearing St Gov & Elec 1/28 1st read – to St Gov & Elections 1/22 PASSED House</p>
SHB 1259	<p>Expanding public contracting opportunities for women and minority business enterprises by increasing the regulatory oversight and accountability of the office of minority and women's business enterprises. amending RCW 39.19.020, 39.19.060, 39.19.080, 39.19.090, 39.19.200, 39.19.250, and 39.04.155; adding a new section to chapter 39.19 RCW; and repealing RCW 39.19.100 and 39.19.110.</p> <ul style="list-style-type: none"> • Establishes an Audit and Review unit within the Office of Minority and Women's Business Enterprises (OMWBE) to detect and investigate fraud and violations pertaining to the certification of, and contracts with, minority- and women-owned businesses. • Repeals the Office of the Attorney General's authority to investigate and enforce compliance with minority- and women-owned businesses contract requirements. <p>• Modifies requirements related to the small-works roster and limited public works process, including increasing the cost thresholds for eligible projects under each process.</p> <ul style="list-style-type: none"> • Requires the OMWBE to annually identify state agencies and educational institutions with low levels of participation by minority- and women-owned businesses in the execution of public contracts. <i>(Increases Small Works Roster from \$350k to \$500k, and limited public works from \$50k to \$150k.)</i> 	Santos, Dolan, Ryu, Valdez, Fey, Ramel, Ortiz-Self, Hackney, Ramos, Kloba, Callan, Lekanoff, Macri, Gregerson, Slatter, Stonier, Harris-Talley	<p>3/3 Substitute; Rules Suspended; placed on 3rd Reading; 3rd Reading passed. 2/23 Rules Relieved. Placed on 2nd Reading 2/22 Referred to Rules to Review 2/18 Passed w/Substitute 2/17 Exec Session Appropriations – action taken 2/16 Public Hearing Appropriations 2/2 Referred to Appropriations 1/29 Exec Session - Comm & Econ Dev 1/26 Pub Hearing Comm & Econ Dev 1/18 1st reading – referred to Comm & Econ Dev</p>
HB 1280	<p>Concerning greenhouse gas emissions reductions in the design of public facilities.</p>	Ramel, Duerr, Bateman, Fitzgibbon, Berry, Peterson,	<p>3/2 Rules Relieved – Placed on 2nd Reading 2/22 Referred to Rules to Review 2/19 Exec Session Capital Budget – Pass</p>

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	<ul style="list-style-type: none"> • Declares that it is the public policy of the state to ensure that greenhouse gas emissions reduction practices are included in the design of major publicly owned or leased facilities, and that the use of all-electric energy systems and at least one renewable energy or combined heat and power system is considered. • Requires life-cycle cost analysis guidelines developed by the Department of Enterprise Services for public facilities to include provisions that identify all-electric energy systems as a system alternative. <p><i>(This bill amends the existing requirements for energy life-cycle cost analysis (ELCCA) of new, remodeled and expanded major public facilities to include evaluation of GHG emissions by specifying at least one energy system analyzed will be an all-electric option.)</i></p>	Goodman, Hackney, Fram, Macri, Pollet, Harris-Talley	<p>2/17 Public Hearing – Capital Budget 2/9 Referred to Capital Budget 2/5 Exec Session Env & Energy 2/4 Exec Session Env & Energy action 1/29 Public Hearing Env & Energy 1/19 1st Read to Environment & Energy</p>
ESHB 1329	<p>Concerning public meeting accessibility and participation.</p> <p>• Requires local governments, with some exceptions, to provide for remote access to meetings of their governing bodies. • Requires local governments, with some exceptions, to record and post recordings of meetings online for at least six months. • Requires a governing body to accept public comment before taking a final action on a substantive matter.</p> <ul style="list-style-type: none"> • Encourages public agencies to provide for remote access to meetings of their governing bodies, and to record and post recordings of meetings online for at least six months. • Requires governing bodies to provide an opportunity for public comment at or before every regular meeting at which final action is taken, except in emergency situations. • Allows the public comment requirement to be satisfied by accepting oral testimony at a meeting, or by providing an opportunity for written testimony to be submitted prior to the meeting. • Requires governing bodies, upon the request of an individual who, because of disability, limited mobility, or other reason, will find physical attendance at a meeting difficult, to provide an opportunity for remote oral comment for that individual if feasible, and if oral public comment from other members of the public will be accepted at the meeting. 	Wicks, Pollet, Taylor, Ryu, Wylie, Shewmake, Bateman, Lovick, Fey, Morgan, Lekanoff, Harris-Talley, Peterson	<p>3/2 1st Reading; Referred to State Gov & Elections 2/26 1st Sub Adopted, Rules Suspended; Placed on 3rd Reading - Passed 2/24 Rules Relieved. Placed on 2nd Reading 2/15 Exec Session – Local Govt Substitute - Referred to Rules 2/12 Exec Session – Local Govt - no action 1/29 Exec Session – No action 1/26 Public Hearing Local Government 1/20 1st reading – Local Government</p>
SHB 1502	<p>Concerning the procurement and design of electric ferries by counties.</p> <ul style="list-style-type: none"> • Permits counties to use additional competitive bidding procedures for procurement and design of electric ferries. • Permits a county procuring an electric ferry to consider best value criteria in determining the lowest responsive and responsible bidder. • Exempts from public disclosure trade secrets or other proprietary information submitted by a bidder in connection with electric ferry procurement if the bidder specifically states in writing the reason for protection from disclosure and the county agrees that such protection is necessary. • Permits a county procuring an electric ferry to identify specific equipment and vendors without allowing substitutions, when such equipment selections will reduce cost and performance risk. • Requires the Washington State Department of Transportation's Office of Equal Opportunity to establish contract goals for county electric ferry vessel procurement in order to increase small business participation in ferry vessel procurement. 	Wylie, Griffey, Ramel, Paul, Lekanoff, Berry, Ortiz-Self, Hackney, Harris-Talley, Pollet	<p>3/2 1st Reading; Referred to Transportation 2/26 Substitute; Rules Suspended; 3rd Reading; 3rd Reading Passed. 2/25 Rules Relieved. Placed on 2nd Reading 2/22 Exec Session, Transportation – Substitute Referred to Rules to Review 2/16 Public Hearing - Transportation 2/5 1st Reading – Referred to Transportation</p>
SB 5278	<p>Concerning the protection of construction worker wages and benefits.</p> <ul style="list-style-type: none"> • Authorizes the Department of Labor and Industries to enforce against a direct contractor unpaid wages owed by a subcontractor. • Authorizes a third-party owed fringe or other benefit payments or contributions by a subcontractor to bring a civil action against a direct contractor. • Authorizes an interested party to bring a civil action against a direct contractor or subcontractor for wages owed by a subcontractor 	Stanford, Kuderer, Conway, Das, Hasegawa, Lovelett, Nguyen, Nobles, Saldana, C Wilson	<p>2/3 Public Hearing Labor/Comm. & Tribal Affairs 1/19 1st Reading – referred to Labor/Commerce/ & Tribal Affairs</p>
SSB 5333	<p>Concerning void and unenforceable clauses in construction contracts related to delays caused by the COVID-19 pandemic emergency proclamations.</p>	Holy, L Wilson	<p>3/3 Placed on 2nd Reading by Rules Committee 2/22 Exec Session – Ways & Means – Pass; Passed to Rules for 2nd Reading 2/18 Public Hearing Ways & Means</p>

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<p>SHB 1264</p> <p>Companion SB 5274</p>	<p>Establishing an equity impact statement for legislative proposals.</p> <ul style="list-style-type: none"> Requires that, by November 15, 2021, the Office of Financial Management (OFM) establish procedures, guidelines, and content and format requirements for the Equity Impact Statement (EIS), by July 1, 2022. Requires that, by January 1, 2022, agencies and the OFM to prepare and provide, upon request, an EIS on certain for legislative proposals that create or amend statutes on housing or health care policies, beginning January 1, 2023. Requires that, by January 1, 2024, agencies and the OFM to prepare and provide, upon request, an EIS on certain for legislative proposals that create or amend statutes on elementary and secondary education policy, beginning January 1, 2024 in six additional policy areas. Requires that, by January 1, 2025, agencies and the OFM to prepare and provide, upon request, an EIS on any for legislative proposals that create or amend statutes on tax policy and two additional policies as selected by the OFM, on which a fiscal note is requested or at the request of a legislator beginning January 1, 2025. Requires that, beginning January 1, 2027, and every odd-numbered years thereafter, agencies and the OFM prepare and provide, upon request, an EIS for legislative proposals in three additional policy areas as selected by the OFM, until all matters subject to legislation are included. 	<p>Thai, Morgan, Senn, Berry, Valdez, Simmons, Ramel, Ortiz-Self, Davis, Peterson, Wylie, Callan, Lekanoff, Macri, Bronsoske, Slatter, Ramos, Berg, Harris-Talley, Pollet, Gregerson, Riccelli</p>	<p>2/15 Referred to Appropriations 2/11 Exec Session – Labor, Comm & Tribal Affairs 1st substitute 2/4 Exec Session – St Gov & Tribal Rel. no action 1/28 Exec Session – Gov & Tribal Relations. 1/25 Pub Hearing – St Gov & Tribal Rel. @ 1:30 pm 1/18 1st Reading, referred to Gov & Tribal Relations</p> <p>SB 5274 1/19 1st Read – State Govt & Elections</p>
<p>HB 1288</p>	<p>Restoring the fair treatment of underserved groups in public employment, education, and contracting. <i>(Repeals I-200 and makes technical corrections to statutes that reference it, including portions of RCW 39.10.)</i></p>	<p>Santos, Hackney, Fitzgibbon, Peterson, Valdez, Thai, Fey, Bergquist, Ormsby, wPollet</p>	<p>1/19 1st Read – referred to Civil Rights & Judiciary</p>
<p>HB 1308</p>	<p>Expanding apprenticeship utilization requirements. <i>(Apprenticeship required on all projects over \$200k)</i></p> <ul style="list-style-type: none"> Requires public works contracts awarded by a municipality that cost more than \$1 million to include specifications that no less than 15 percent of the labor hours be performed by apprentices. Requires public works contracts that cost \$200,000 or more for subcontractors to include specifications that no less than 15 percent of the labor hours be performed by apprentices. Requires municipalities to monitor and report their apprentice utilization hours by contractor. 	<p>Riccelli, Ramel, Bateman, Fitzgibbon, Valdez, Hackney, Bergquist, Ormsby, Pollet, Slatter</p>	<p>2/2 Public Hearing – Capital Budget 1/19 1st reading – referred to Cap Budget Comm.</p>
<p>SSB 5116</p>	<p>Establishing guidelines for government procurement and use of automated decision systems in order to protect consumers, improve transparency, and create more market predictability.</p> <ul style="list-style-type: none"> Requires public agencies to develop an algorithmic accountability report that meet certain requirements on the use of automated decision systems (ADS). Specifies minimum requirements when an agency develops, procures, or uses an ADS. Prohibits an agency from using ADS or equipment incorporating artificial intelligence-enabled profiling under certain conditions. Requires the Washington state chief information officer to adopt rules regarding the development, procurement, and use of ADS by a public agency. Requires the algorithmic accountability review office inventory, review algorithmic accountability reports, post certain information on its website, and conduct audits for ADS. Expands Washington's Law Against Discrimination to prohibit discrimination by automated decision systems. Delays facial recognition statutory provisions to July 1, 2026. 	<p>Hasegawa, Hunt, Kuderer, C.Wilson</p>	<p>2/8 Referred to Ways & Means 2/5 Exec Session – St Gov & Elections Substitution 1/20 Pub Hearing – St Gov & Elections 1/11 1st Reading – referred to Gov & Elections 1/8 Pre-filed</p>
<p>SB 5458</p>	<p>Concerning public contracts with small businesses.</p>	<p>Wagoner</p>	<p>2/15 1st Reading, Govt & Elections</p>