

2023 Legislative Bill Activity – Final for 2023

[Legislative Committee Sign In](#)

Bill Number	Title (& short summary)	Sponsor	Current Bill Status
CPARB SPONSORED BILLS, SUPPORTED BILLS OR REQUESTING ACTIVITY			
2SHB-2SSB 5268 Companion HB 1306 (Dead)	Addressing equity and efficiencies in public works procurement including modifying small works roster requirements. <ul style="list-style-type: none"> Modifies small works roster requirements to address equity and efficiencies in public works procurement. Updates and revises the small and limited works roster process to increase administrative efficiency. Requires the Department of Commerce to create a statewide small-works roster by June 30, 2024. Requires the Office of Minority and Women's Business Enterprises to adopt rules governing a public works small business certification program. Removes the requirement for the Department of Enterprise Services to survey and which states provide a bidding preference on public works contracts for their resident contractors. Requires the Capital Projects Advisory Review Board (CPARB) to periodically review construction cost escalation data, roster utilization, and other appropriate data and metrics, and make recommendations to the Legislature on adjustments to contracting thresholds. Requires CPARB to make recommendations to the appropriate committees of the Legislature on adjustments to existing contracting thresholds. Requires the Department of Enterprise Services to develop and make available on its public-facing website templates for bid invitations, bidding, and contracting. 	Sen Hasegawa & Warnick, Hunt, Keiser, Kuderer, Nguyen, Nobles, Saldaña, Valdez, Wagoner, Wilson, C.	5/9 S Governor Signed; Chapter Effective Date
BILLS OF INTEREST – ACTIVE (changes highlighted)			
ESHB 1050	Expanding apprenticeship utilization requirements. Expanding apprenticeship utilization requirements; amending RCW 39.04.320; and providing an effective date. <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 subcontracts of public works contracts with an initial subcontract price of \$350,000 or more 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 and subcontractor. Section 1 takes effect July 1, 2024. 	Riccelli, Berry, Simmons, Ryu, Goodman, Reed, Ramel, Lekanoff, Pollet, Street, Doglio, Donaghy, Wylie, Santos, Ormsby, Fosse	5/9 Governor Signed; Chapter 342, 2023 Laws. Effective Date 7/23/2023
SHB 1621	Concerning standardizing local government procurement rules among special purpose districts, first-class and second-class cities, and public utility districts. <ul style="list-style-type: none"> Increases the limit for contracts that require competitive bidding to \$150,000 if two or more trades are involved, or to \$75,000 if only one trade is involved. Allows current employees of first-class cities, second-class cities, water-sewer districts, and fire protection districts to perform work under \$300,000 in value without a contract if doing so is accepted industry practice. Provides a standard definition of "lowest responsible bidder" for public utility districts, cities, towns, water-sewer districts, and fire protection districts. NEW SECTION. Sec. 6. The capital projects advisory review board shall review this act and make recommendations to the appropriate committees of the legislature by December 31, 2023. 	Ryu, Duerr, Pollet, Kloba, Senn	5/4 Governor Signed; Chapter 255, 2023 Laws. Effective Date 7/23/2023

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Bill Number	Title (& short summary)	Sponsor	Current Bill Status
SB 5088 Companion HB 1309 (Dead)	<p>Adding references to contractor registration and licensing laws in workers' compensation, public works, and prevailing wage statutes.</p> <p><i>Senate:</i> Adds cross-references to plumbing, electrical, and elevator contractor licensing laws to existing workers' compensation, public works, and prevailing wage statutes.</p> <p><i>House:</i> Aligns certain provisions governing public works, prevailing wage, and workers' compensation with the current requirement to obtain specialty contractor licenses to perform types of work, making those provisions apply to plumbing contractors, electrical contractors, and elevator contractors.</p>	Keiser, King	<i>4/14 Governor Signed; Chapter 88, 2023 Laws Effective Date 7/23/2023</i>
2023 DEAD BILLS (may come back in 2024)			
HB 1099	<p>Requiring certain wages in public works contracts to be at least the prevailing wage in effect when the work is performed.</p> <p>Requires public works contracts to specify that wages paid to workers will not be less than the latest prevailing wage rate in effect at the time the work is performed.</p>	Berry, Ormsby, Goodman, Bateman, Reed, Pollet, Doglio, Simmons, Bronoske, Gregerson, Kloba, Santos, Riccelli, Fosse	<i>2/16 Public Hearing H Cap Budget</i>
ESHB 1282 Companion SSB 5322 (Dead)	<p>Requiring environmental and labor reporting for public building construction and renovation material.</p> <ul style="list-style-type: none"> Requires firms selected by state agencies and institutions of higher education for large construction or building renovation contracts to report Environmental Product Declarations, Health Product Declarations, working conditions, and other data. Directs the Department of Commerce to continue development of a public database for reported data. Establishes a technical work group. 	Duerr, Hackney, Berry, Ramel, Doglio, Reed, Pollet	<i>4/4 Exec Session; S Ways & Means No Action</i>
SHB 1306 Companion SB 5268 (Still Alive)	<p>Addressing equity and efficiencies in public works procurement including modifying small works roster requirements.</p> <ul style="list-style-type: none"> Modifies small-works roster procedures. Requires the Department of Commerce to create a statewide small-works roster by June 30, 2024. Requires the Office of Minority and Women's Business Enterprises to adopt rules governing a public works small business certification program. Requires the Capital Projects Advisory Review Board to periodically review construction cost escalation data, roster utilization, and other appropriate data and metrics, and make recommendations to the Legislature on adjustments to contracting thresholds. Requires the Department of Enterprise Services to develop and make available on its public-facing website templates for bid invitations, bidding, and contracting. 	Tharinger, Steele, Reed, Pollet, Leavitt	<i>3/13 Returned to Rules for 2n Read</i>
HB 1309 Companion SB 5088 (Dead)	<p>Adding references to contractor registration and licensing laws in workers' compensation, public works, and prevailing wage statutes.</p> <p>Adds cross-references to plumbing, electrical, and elevator contractor licensing laws to existing workers' compensation, public works, and prevailing wage statutes.</p> <ul style="list-style-type: none"> Aligns certain provisions governing public works, prevailing wage, and workers' compensation with the current requirement to obtain specialty contractor licenses to perform types of work, making those provisions apply to plumbing contractors, electrical contractors, and elevator contractors. 	Fosse, Cheney, Berry, Lekanoff, Waters, Ramel, Senn, Reed, Kloba, Hutchins	<i>2/14 Referred to Rules 2 Review</i>
SSB 5133	<p>Modifying the responsible bidder criteria for public works projects.</p> <p>Modifying the responsible bidder criteria for public works projects; and amending RCW 39.04.350.</p> <ul style="list-style-type: none"> Requires bidders to be listed as an active training agent on the Department of Labor and Industries (L&I) website to meet responsible bidder criteria. 	Keiser, Conway, Kuderer, Randall, Saldaña, Valdez	<i>1/30 Referred to Ways & Means</i>

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	<ul style="list-style-type: none"> • Adds language to ensure public works projects subject to the apprenticeship utilization requirements adhere to said requirements for the one-year period immediately preceding the date of the bid solicitation. • Requires bidders who have a demonstrated history of noncompliance with apprenticeship utilization requirements to submit an apprenticeship utilization plan to obtain contracts. • Requires all bidders at the time of bid submittal to have at least one designated person trained on public works and wages within the last three years. 		
SSB 5322 Companion To SHB 1282 (Still Alive)	Requiring environmental and labor reporting for public building construction and renovation material. <ul style="list-style-type: none"> • Requires a selected firm for a construction contract for a covered project larger than 100,000 gross square feet to submit specified environmental, manufacturer, and labor information to an awarding authority beginning July 1, 2024. • Requires a selected firm for a construction contract for a covered project to submit specified environmental, manufacturer, and labor information to an awarding authority beginning July 1, 2026. • Specifies the Department of Commerce (Commerce) must continue to develop and maintain the publicly available database funded by the 2021-2023 Omnibus Operating Appropriations Act. • Requires Commerce to convene a Buy Clean and Buy Fair Work Group by December 1, 2023. • Requires capital budget instructions, beginning with the 2025-2027 biennium, to include information informing awarding authorities of the requirements of this act. 	Wellman, Hasegawa, Keiser, Valdez, Wilson, C.	2/24 Exec Session; S Ways & Means
SB 5418	Expanding the definition of public work. Expands the definition of public work to include work supported in part or in whole by grants or loans of public dollars, or by tax deferral or reimbursement.	Conway, Keiser, Hasegawa, Kuderer, Saldaña, Frame, Trudeau, Hunt, Wilson, C.	2/17 Exec Session; S St Govt & Elections
SB 5458	Concerning port districts public works contracting.	Kauffman, Kuderer, Lovelett, Wilson, C.	1/19 1 st read; Referred to Local Govt, Land use & Tribal Affairs
SSB 5684	Concerning small works rosters. <ul style="list-style-type: none"> • Defines small business to mean a business that is certified by the Office of Minority and Women's Business Enterprises (OMWBE). • Establishes uniform small works roster requirements, including authorization for a state agency or authorized local government to use a statewide small works roster to create and maintain one or more small works rosters for different specialties or geographic areas served by contractors on the roster. • Requires that at least once per year, each agency or authorized local government provide to OMWBE's directory of certified firms, and publish, a notice of the existence of the roster and solicit contractors for the roster. • Requires the Municipal Research and Services Center to develop a statewide small works roster by June 30, 2024, and develop criteria for the roster with collaboration from affected agencies. • Establishes uniform small works roster provisions to award contracts. 	Hasegawa	3/10 Senate Rules 'X' File.
ESSB 5726	Concerning the prevailing wages and sick leave benefits for construction workers. <ul style="list-style-type: none"> • Requires the industrial statistician, when there is more than one collective bargaining agreement in a county, to determine the prevailing wage using the rate that represents the majority of workers, laborers, or mechanics under those agreements or, when a majority rate is not present, the rate representing the plurality of hours most workers, laborers, or mechanics. • Provides that an interested party may contest appeal a determination by the industrial statistician to prove the actual rate used in the determination is not the rate representing the majority number or plurality of hours of workers, laborers, or mechanics. 	King	3/6 1 st Read; Referred to H Labor & Wkpl Standards

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	<ul style="list-style-type: none">• Requires, with some exceptions, public works contracts to specify that wages paid to workers will not be less than the latest prevailing wage rate in effect at the time the work is performed.		