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**SUBSTITUTE HOUSE BILL 2412**

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**State of Washington 65th Legislature 2018 Regular Session**

**By** House Capital Budget (originally sponsored by Representatives Doglio, DeBolt, Macri, and Ormsby)

AN ACT Relating to creating the buy clean Washington act; and adding a new chapter to Title 39 RCW.

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

NEW SECTION. **Sec.**  The legislature finds and declares the following:

(1) Washington is committed to enhancing our manufacturing competitiveness while advancing our energy goals and boosting our economy.

(2) Companies in Washington are on the cutting edge of reducing greenhouse gases in the production of structural products used in public works projects.

(3) The legislature has committed to reduce greenhouse gases through regulatory and other action by public agencies. Those rules and actions do not currently encourage public dollars for infrastructure projects to be spent in a way that is consistent with the state's goals to reduce greenhouse gas emissions.

(4) State agencies should take climate change into account in their planning and investment decisions and employ full environmental life-cycle accounting to evaluate and compare infrastructure investments and alternatives.

(5) Significant quantities of emissions are released during the manufacture and transport of products used in public infrastructure projects.

(6) Washington state, through its extensive purchasing power, can boost the state's economy while also improving environmental outcomes and accelerating necessary greenhouse gas reductions by incorporating emissions information from throughout the supply chain and product life cycle into procurement decisions, and using that information to help direct expenditure.

(7) Incorporating emissions information will acknowledge those companies that have invested in emissions reduction technologies and practices. It will encourage other companies to take action to reduce emissions to become more competitive in the Washington bidding process. It will make products made in Washington attractive to other states working to reduce their own emissions.

NEW SECTION. **Sec.**  The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Awarding authority" means the agency that awards the construction contract.

(2) "Department" means the department of enterprise services.

(3) "Eligible materials" include any of the following that function as part of a structural system or structural assembly:

(a) Concrete, including structural cast in place, shotcrete, and precast;

(b) Unit masonry;

(c) Metal of any type; and

(d) Wood of any type, including but not limited to wood composites and wood laminated products.

(4) "Environmental product declaration" means a facility-specific type III environmental product declaration, as defined by the international organization for standardization standard 14025, or similarly robust life-cycle assessment methods that have uniform standards in data collection consistent with international organization for standardization standard 14025, industry acceptance, and integrity.

 (5) "Structural" means a building material or component that, including but not limited to, supports gravity loads of either building floors or roofs, or both, and the primary lateral system resisting wind and earthquake loads such as shear walls, braced frames or moment frames, and includes foundations and below-grade walls and floors.

NEW SECTION. **Sec.**  (1) The University of Washington, led by the college of built environments, in collaboration with the department, shall: Analyze existing embodied carbon policy; propose methods to categorize structural materials and report structural material quantities and origins, and global warming potential; propose methods to establish maximum global warming potential limit; and convene a task force to give feedback on the proposed methods. The task force must include representation from affected material manufacturing industries, building industry professionals, government agencies, nonprofits, and small local and rural businesses.

 (2) By June 15, 2018, the department must coordinate with the following projects: (a) University of Washington Bothell, project number 30000378; (b) Washington State University Tri-Cities academic building, project number 30001190; (c) Western Washington University sciences building addition and renovation, project number 30000768; (d) Shoreline Community College allied health, science, and manufacturing replacement, project number 30000990; (e) secretary of state library archive building, project number 30000033; and (f) the department of transportation SR9/Snohomish river bridge replacement, project number N00900R. The awarding authorities for these projects must collaborate with the University of Washington college of built environments to test proposed methods and availability of environmental product declarations.

(3) The University of Washington college of built environments shall report to the legislature the methods developed in this section by January 31, 2019.

NEW SECTION. **Sec.**  (1) An awarding authority for the projects listed in section 3(2) of this act shall require the successful bidder for a contract to submit the quantities, in mass or volume, of eligible materials and the cost, origin, and a current environmental product declaration for the eligible materials used based on the method identified in section 3(1) of this act.

(2) The awarding authority shall report to the department the quantities and any environmental product declarations collected in this section, and any eligible material suppliers that could not provide an environmental product declaration, by December 15, 2019.

(3) The department shall report to the fiscal committees of the legislature by January 15, 2020, of the findings in subsection (2) of this section, and on any obstacles to the implementation of this chapter, and the effectiveness of this chapter with respect to reducing global warming potential.

NEW SECTION. **Sec.**  In carrying out its duties under this chapter, an awarding authority shall strive to achieve a continuous reduction of emissions over time.

NEW SECTION. **Sec.**  This chapter may be known and cited as the buy clean Washington act.

NEW SECTION. **Sec.**  Sections 1 through 6 of this act constitute a new chapter in Title 39 RCW.

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