H-1206.1

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**HOUSE BILL 1551**

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**State of Washington 67th Legislature 2021 Regular Session**

**By** Representatives Maycumber, Fitzgibbon, Gilday, Robertson, Orcutt, Chandler, Abbarno, Dent, Eslick, Sutherland, Corry, Boehnke, Goehner, Klicker, Walsh, Graham, Mosbrucker, Schmick, Dye, Chambers, Wylie, Barkis, Duerr, Pollet, Young, and Volz

AN ACT Relating to removing the usage of forced labor by children and other workers in Washington state's transportation domestic fuel market by placing conditions on the sourcing of transportation fuel; adding new sections to chapter 90.56 RCW; and creating a new section.

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

NEW SECTION. **Sec.**  (1) The legislature finds that Washington state residents want to act affirmatively for the support and promotion of the labor rights of workers, and protections against the exploitation of child labor, as it pertains to the sourcing of transportation fuels. In an attempt to remedy historic labor practices that enlisted children in dangerous work at a young age, including in the fuel production sector, federal agencies and laws prohibit the labor of minors from the age of five to 14 in most instances, and restrict the types of especially dangerous work that may be performed by minors between the ages of 14 and 18. These basic child labor protections do not exist in all countries from which Washington has historically sourced fuels.

(2) The legislature recognizes that Washington state is not a crude oil producer and produces very limited supplies of low carbon alternative fuel stocks. However, Washington is a major crude oil refining center with the fifth largest refining capacity of any state in the United States.

(3) Consistent with certain fundamental rights of self-determination, Washington residents wish to assure themselves that the dollars they spend as consumers of transportation fuel in the domestic fuel market are consistent with their core values. Additionally, Washington residents wish to impact positive change in labor standards by requiring that all transportation fuels that serve the domestic Washington market are extracted and produced in ways that respect basic labor rights, including prohibiting child labor in the sourcing of transportation fuel.

NEW SECTION. **Sec.**  A new section is added to chapter 90.56 RCW to read as follows:

(1) Beginning January 1, 2023, a person may not distribute or sell transportation fuels for use in Washington that are extracted or produced in a country that has not been certified as an eligible provider to Washington state's domestic transportation fuel market by the department of labor and industries under section 3 of this act.

(2) The department may adopt rules to administer and enforce the requirements of this section.

(3) For purposes of administering and enforcing this section, the department may:

(a) Consider information regarding the origin of fuels that is submitted to the department under RCW 90.56.565 and 88.46.165; and

(b) Require producers and importers of transportation fuel to register with the department.

(4) The requirements of this section do not apply to:

(a) Transportation fuels exported from Washington; and

(b) Transportation fuels that the state is prohibited from regulating under the state Constitution or the Constitution or laws of the United States.

(5) For the purposes of this section, transportation fuels include:

(a) Gasoline;

(b) Diesel;

(c) Ethanol;

(d) Renewable diesel;

(e) Biodiesel;

(f) Hydrogen;

(g) Liquified natural gas;

(h) Compressed natural gas;

(i) Kerosene; and

(j) Bunker fuel.

NEW SECTION. **Sec.**  A new section is added to chapter 90.56 RCW to read as follows:

(1) By December 1, 2022, the department of labor and industries must publish a list of countries whose extracted or produced fuels are eligible to be provided or sold for use in Washington. The department of labor and industries must update this list by December 1st of each year for the purposes of determining the eligibility of fuels for use in Washington state's domestic transportation fuels market under section 2 of this act.

(2) In order to certify that a fuel is eligible to be provided or sold for use in the Washington state domestic transportation fuel market, the department of labor and industries must determine that the fuel was extracted or produced in a country that has laws that provide the following labor rights:

(a) The freedom of association and protection of the right to organize;

(b) The right to bargain collectively;

(c) A prohibition of forced labor;

(d) Minimum employment standards, such as minimum wages and overtime pay, covering wage earners, including those not covered by collective agreements;

(e) Elimination of employment discrimination on the basis of race, religion, age, sex, or other grounds as determined by each country's domestic laws;

(f) Equal pay for men and women;

(g) Prevention of occupational injuries and illnesses;

(h) Compensation in cases of occupational injuries and illnesses; and

(i) Protection of migrant workers.

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