
SUBSTITUTE SENATE BILL 5782

State of Washington

53rd Legislature

1993 Regular Session

By Senate Committee on Education (originally sponsored by Senators Quigley, Pelz, McDonald, Spanel, A. Smith, Drew, Winsley, Talmadge and Bauer)

Read first time 03/03/93.

1 AN ACT Relating to architectural plans for school construction; and
2 adding a new section to chapter 28A.525 RCW.

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

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 28A.525
5 RCW to read as follows:

6 (1) Each contract entered into by a school district for the
7 construction of a school where the state has contributed matching funds
8 shall after the effective date of this section contain a clause stating
9 that the design plans and construction documents for the school are the
10 joint property of the state, the school district, and the design
11 professional and may be reproduced, modified, or used by the design
12 professional, the state, or any school district in the state.

13 (2) Each school district shall file the design plans under
14 subsection (1) of this section with the state board of education. The
15 superintendent of public instruction shall maintain a copy of the
16 design plans on file for use by school districts throughout the state.

17 (3) The state board of education shall provide some priority
18 consideration for receipt of state matching funds for a school district
19 which substantially duplicates a design plan from the design plans on

1 file with the superintendent of public instruction. In determining
2 whether a school district has substantially duplicated a design plan,
3 a district shall not be denied priority consideration due to changes to
4 operating systems, or to construction materials and techniques
5 contained in the design plans. Such factors shall be taken into
6 account in determining the priority factors.

7 (4) Reuse of design plans on file with the superintendent of public
8 instruction, under this section, without the verification and
9 adaptation of the originating design professionals is done at the risk
10 of the school district reusing such design plans. The school district
11 shall indemnify and hold harmless any originating design professional
12 whose design plans have been reused, under this section, for all claims
13 and liabilities arising from reuse.

14 (5) For purposes of this section:

15 (a) "Design plans" means the schematics and design development
16 plans for a school.

17 (b) "Design professional" means an architect, professional
18 engineer, land surveyor, or landscape architect, who is licensed or
19 authorized by law to practice such profession, or any corporation
20 organized under chapter 18.100 RCW or authorized under RCW 18.08.420 or
21 18.43.130 to render design services through the practice of one or more
22 of such professionals.

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