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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)

READ FIRST TIME 02/06/18.

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

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

4            NEW SECTION.    **Sec. 1.**    The legislature finds and declares the  
5 following:

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

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

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

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

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

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

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

16 NEW SECTION. **Sec. 2.** The definitions in this section apply  
17 throughout this chapter unless the context clearly requires  
18 otherwise.

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

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

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

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

26 (b) Unit masonry;

27 (c) Metal of any type; and

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

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

37 (5) "Structural" means a building material or component that,  
38 including but not limited to, supports gravity loads of either  
39 building floors or roofs, or both, and the primary lateral system

1 resisting wind and earthquake loads such as shear walls, braced  
2 frames or moment frames, and includes foundations and below-grade  
3 walls and floors.

4 NEW SECTION. **Sec. 3.** (1) The University of Washington, led by  
5 the college of built environments, in collaboration with the  
6 department, shall: Analyze existing embodied carbon policy; propose  
7 methods to categorize structural materials and report structural  
8 material quantities and origins, and global warming potential;  
9 propose methods to establish maximum global warming potential limit;  
10 and convene a task force to give feedback on the proposed methods.  
11 The task force must include representation from affected material  
12 manufacturing industries, building industry professionals, government  
13 agencies, nonprofits, and small local and rural businesses.

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

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

30 NEW SECTION. **Sec. 4.** (1) An awarding authority for the projects  
31 listed in section 3(2) of this act shall require the successful  
32 bidder for a contract to submit the quantities, in mass or volume, of  
33 eligible materials and the cost, origin, and a current environmental  
34 product declaration for the eligible materials used based on the  
35 method identified in section 3(1) of this act.

36 (2) The awarding authority shall report to the department the  
37 quantities and any environmental product declarations collected in

1 this section, and any eligible material suppliers that could not  
2 provide an environmental product declaration, by December 15, 2019.

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

8 NEW SECTION. **Sec. 5.** In carrying out its duties under this  
9 chapter, an awarding authority shall strive to achieve a continuous  
10 reduction of emissions over time.

11 NEW SECTION. **Sec. 6.** This chapter may be known and cited as the  
12 buy clean Washington act.

13 NEW SECTION. **Sec. 7.** Sections 1 through 6 of this act  
14 constitute a new chapter in Title 39 RCW.

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