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**SUBSTITUTE SENATE BILL 5788**

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**State of Washington**

**65th Legislature**

**2017 Regular Session**

**By** Senate Law & Justice (originally sponsored by Senators Brown, Padden, and Takko)

READ FIRST TIME 02/17/17.

1       AN ACT Relating to construction contracts; and adding a new  
2 section to chapter 4.24 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 4.24 RCW  
5 to read as follows:

6       (1) A contractor, subcontractor, or supplier to a construction  
7 contract, as defined in RCW 4.24.370, may be entitled to equitable  
8 adjustment of a claim despite the failure to submit a claim notice or  
9 claim-related document in a specific time frame or form required by  
10 the contract, to the extent the interests of the person seeking to  
11 enforce the notice are not prejudiced by the failure to comply with  
12 the notice provisions.

13       (2) For the purposes of this section, "claim" means any demand or  
14 assertion by a party to a construction contract seeking, as a matter  
15 of right, adjustment, or interpretation of contract terms, payment of  
16 money, extension of time, or other relief with respect to the terms  
17 of the contract. "Claim" includes other disputes and matters in  
18 question between the parties to a construction contract arising out

1 of or relating to the contract. The responsibility to substantiate a  
2 claim rests with the claimant.

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