
HOUSE BILL 1551

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

Read first time 03/05/21. Referred to Committee on Environment & Energy.

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

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

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

18 (2) The legislature recognizes that Washington state is not a
19 crude oil producer and produces very limited supplies of low carbon
20 alternative fuel stocks. However, Washington is a major crude oil

1 refining center with the fifth largest refining capacity of any state
2 in the United States.

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

12 NEW SECTION. **Sec. 2.** A new section is added to chapter 90.56
13 RCW to read as follows:

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

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

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

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

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

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

28 (a) Transportation fuels exported from Washington; and

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

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

34 (a) Gasoline;

35 (b) Diesel;

36 (c) Ethanol;

37 (d) Renewable diesel;

38 (e) Biodiesel;

39 (f) Hydrogen;

- 1 (g) Liquefied natural gas;
- 2 (h) Compressed natural gas;
- 3 (i) Kerosene; and
- 4 (j) Bunker fuel.

5 NEW SECTION. **Sec. 3.** A new section is added to chapter 90.56
6 RCW to read as follows:

7 (1) By December 1, 2022, the department of labor and industries
8 must publish a list of countries whose extracted or produced fuels
9 are eligible to be provided or sold for use in Washington. The
10 department of labor and industries must update this list by December
11 1st of each year for the purposes of determining the eligibility of
12 fuels for use in Washington state's domestic transportation fuels
13 market under section 2 of this act.

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

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

21 (b) The right to bargain collectively;

22 (c) A prohibition of forced labor;

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

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

29 (f) Equal pay for men and women;

30 (g) Prevention of occupational injuries and illnesses;

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

32 and

33 (i) Protection of migrant workers.

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