

SSB 6385 - S AMD 21

By Senator Honeyford

NOT ADOPTED 2/01/2008

1 On page 1, beginning on line 4, strike the remainder of the bill  
2 and insert the following:

3 "NEW SECTION. **Sec. 1.** The legislature finds there have been  
4 distressing examples in Washington state of homeowners experiencing  
5 significant financial hardship due to avoidable residential  
6 construction defects. To minimize this occurrence, and to provide  
7 relief as appropriate, it is the intent of the legislature that a  
8 committee be established to comprehensively examine issues concerning  
9 residential construction defects. Such examination shall include, but  
10 not be limited to, issues regarding residential construction  
11 professional licensing, state building code revisions, and statutory  
12 remedies for construction or inspection defects.

13 NEW SECTION. **Sec. 2.** (1) A committee is established to:

14 (a) Examine license requirements for residential construction  
15 professionals, including, but not limited to, whether contractors  
16 should be licensed and what education and training requirements should  
17 exist;

18 (b) Evaluate remedies at law for residential construction defects  
19 including, but not limited to, statutory causes of action for negligent  
20 construction or building code inspection. Within this evaluation, the  
21 committee shall examine the likely impact, if any, such causes of  
22 action would have on housing prices, insurance costs for construction  
23 professionals, and local governments' liability; and

24 (c) Examine the state building code and determine whether the code  
25 should be strengthened to protect homeowners.

26 (2) The committee consists of the following members who shall be  
27 persons with experience and expertise in residential construction law  
28 or residential construction:

29 (a) A member, who shall be the chair of the committee, jointly  
30 appointed by the speaker of the house of representatives and the  
31 president of the senate;

1 (b) One member from each caucus of the senate, appointed by the  
2 president of the senate;

3 (c) One member from each caucus of the house of representatives,  
4 appointed by the speaker of the house of representatives;

5 (d) The president of the state building code council or the  
6 president's designee;

7 (e) The following seven members, jointly appointed by the speaker  
8 of the house of representatives and the president of the senate:

9 (i) Two residential builders;

10 (ii) One residential remodeler;

11 (iii) One third-party private residential building inspector;

12 (iv) One local government building inspector;

13 (v) A residential construction defect plaintiff's attorney; and

14 (vi) A residential construction defect defense attorney.

15 (3) By December 1, 2008, the committee shall deliver to the  
16 consumer protection and housing committee of the senate and judiciary  
17 committee of the house of representatives a report of the findings and  
18 conclusions of the committee and any proposed legislation.

19 NEW SECTION. **Sec. 3.** This act expires January 1, 2009."

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On page 1, line 1 of the title, after "property", strike the remainder of the title and insert "creating new sections and providing an expiration date."

**EFFECT:** Replaces the underlying bill with a committee charged to comprehensively examine issues surrounding residential construction defects. The committee shall report its findings and proposed legislation by December 1, 2008.