H-2519.2

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**HOUSE BILL 2194**

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**State of Washington 65th Legislature 2017 Regular Session**

**By** Representatives Maycumber, Peterson, Dye, McBride, Fey, Smith, Fitzgibbon, Orcutt, Riccelli, Caldier, Schmick, Rodne, Taylor, Manweller, Shea, Kretz, Haler, Gregerson, Chapman, Stanford, Stambaugh, Koster, and J. Walsh

AN ACT Relating to use of out-of-state materials for public works projects; and amending RCW 39.04.050.

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

**Sec.**  RCW 39.04.050 and 1986 c 282 s 3 are each amended to read as follows:

(1) Original estimates shall show in detail the estimated cost of the work; the estimated quantities of each class of work; the estimated unit cost for each class; the estimated total cost for each class; the time limit, allowed for the completion of the work and the estimated dates of commencement and completion.

(2)(a) Whenever a contractor uses material from out of state on a public project, the contractor shall report to the public owner:

(i) Where the materials came from;

(ii) The reason to use materials from out of state;

(iii) A cost comparison of the materials used against the same materials if obtained in the state;

(iv) Gross estimated carbon emissions, including transportation of the materials to the state;

(v) The estimated difference in carbon usage if the product was obtained within the state, including transportation;

(vi) What the determining factors for using out-of-state materials were, including labor, business and occupation taxes, energy use for transportation, and clean air credit purchasing; and

(vii) The percent of the total building that was made with out-of-state materials.

(b) The public owner must report the information in (a) of this subsection to the fiscal committees of the legislature by November 30th of each year.

(c)(i) For purposes of this subsection (2), "public project" means a project over five thousand square feet that is:

(A) By a public agency and receives any funding in the state capital budget; or

(B) Financed through a financing contract as defined in RCW 39.94.020.

(ii) "Public project" includes public higher education projects, public schools, and grants for nonprofits.

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