H-0717.1

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**HOUSE BILL 1489**

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**State of Washington 67th Legislature 2021 Regular Session**

**By** Representatives Boehnke, Corry, Graham, Walen, Chandler, Leavitt, MacEwen, Orwall, Hoff, Chambers, Abbarno, Klicker, Lovick, Shewmake, Dent, Steele, Dufault, Slatter, Jacobsen, Schmick, Eslick, and Young

AN ACT Relating to promoting locally manufactured personal protective equipment; adding new sections to chapter 43.330 RCW; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; adding a new section to chapter 82.04 RCW; and creating new sections.

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

NEW SECTION. **Sec.**  This act may be known and cited as the Washington innovates new personal protective equipment act ("WIN PPE").

NEW SECTION. **Sec.**  The legislature finds that Washington has spent more than $300,000,000 on personal protective equipment in the first 10 months of the pandemic, almost exclusively purchased from overseas with significant delays and supply chain problems. The legislature further finds that there has been a strong desire for civic-minded Washington manufacturers to change production lines to produce personal protective equipment for the state and nation. The legislature finds that current purchasing preferences are in place in Washington for products with certain recycled content and other environmental attributes, but there is no purchasing preference to guide state procurement policy as it relates to personal protective equipment. Therefore, the legislature intends that the state take a more active role in creating awareness of the supply of high-quality and innovative personal protective equipment that is available to be purchased locally.

NEW SECTION. **Sec.**  A new section is added to chapter 43.330 RCW to read as follows:

The department must maintain a web page on its website that lists contact information for Washington state producers of personal protective equipment. The website must be maintained for at least 24 months after the expiration of the gubernatorial declaration of emergency of February 29, 2020.

NEW SECTION. **Sec.**  A new section is added to chapter 43.330 RCW to read as follows:

(1) Subject to the availability of amounts appropriated for this specific purpose, the department shall report to the legislature by December 1, 2021, on the following issues related to personal protective equipment:

(a) The extent to which Washington's stockpile of pandemic response supplies are Washington-made;

(b) Documenting challenges with cost, delays, and quality experienced in state procurement of personal protective equipment during the COVID-19 pandemic; and

(c) The feasibility and legality of various state procurement preference options for sourcing personal protective equipment in a way that increases our health security, the quality of equipment and its affordability, and certainty of supply during pandemics.

(2) For purposes of this section, "personal protection equipment" means protective clothing, helmets, gloves, face shields, goggles, face masks, and respirators, and other equipment designed to protect the wearer from injury or the spread of infection or illness.

NEW SECTION. **Sec.**  A new section is added to chapter 82.08 RCW to read as follows:

(1) The tax levied by RCW 82.08.020 does not apply to sales of personal protective equipment.

(2) As used in this section, "personal protective equipment" has the meaning provided in section 4(2) of this act.

NEW SECTION. **Sec.**  A new section is added to chapter 82.12 RCW to read as follows:

(1) The provisions of this chapter do not apply in respect to the use of personal protective equipment.

(2) As used in this section, "personal protective equipment" has the meaning provided in section 4(2) of this act.

NEW SECTION. **Sec.**  A new section is added to chapter 82.04 RCW to read as follows:

(1) This chapter does not apply to amounts received by a personal protective equipment manufacturer in respect to the sale of personal protective equipment.

(2) As used in this section, "personal protective equipment" has the meaning provided in section 4(2) of this act.

NEW SECTION. **Sec.**  The provisions of RCW 82.32.805 and 82.32.808 do not apply to this act.

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