

SSB 6040 - S AMD 537

By Senator Fortunato

NOT ADOPTED 02/13/2024

1 On page 1, line 6, after "(1)" strike "(a) When" and insert
2 "~~((When))~~ (a) Except as provided in (b) of this subsection, when"

3 On page 1, beginning on line 18, after "program" strike all
4 material through "work" on line 20

5 On page 1, after line 20, insert the following:

6 "(ii) If a contractor has not yet received payment from the state
7 or municipality for work on a public work, a subcontractor that is a
8 small business certified with the office of minority and women's
9 business enterprises under chapter 39.19 RCW, or is recognized as a
10 women or minority-owned business enterprise in a state of Washington
11 port, county, or municipal small business or women or minority-owned
12 business enterprise program, must opt into prompt payment from the
13 contractor for work satisfactorily completed or material delivered.
14 Payment under this subsection must be reduced at a rate of two
15 percent. If a subcontractor under this subsection does not opt into
16 payment as described under this subsection, payment must be provided
17 as outlined in (a) of this subsection."

18 Renumber the remaining subsection consecutively and correct any
19 internal references accordingly.

EFFECT: Requires subcontractors to opt into prompt payment should the general contractor not yet have received payment. If the contractor has not yet received payment and a subcontractor opts in, payment is reduced by two percent. If a subcontractor does not opt in, payment is provided no later than 10 days following prime contractor receipt of payment.

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