
SENATE BILL 5764

State of Washington 56th Legislature 1999 Regular Session

By Senators Heavey, Johnson, McCaslin, T. Sheldon and Haugen

Read first time 02/08/1999. Referred to Committee on Judiciary.

1 AN ACT Relating to actions arising out of public works contracts;
2 and amending RCW 39.04.240.

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

4 **Sec. 1.** RCW 39.04.240 and 1992 c 171 s 1 are each amended to read
5 as follows:

6 (1) The provisions of RCW 4.84.250 through 4.84.280 shall apply to
7 an action arising out of a public works contract in which the state or
8 a municipality, or other public body that contracts for public works,
9 is a party, except that(~~(a) The maximum amount of the pleading~~
10 ~~shall be two hundred fifty thousand dollars; and (b))~~) in applying RCW
11 4.84.280, the time period for serving offers of settlement on the
12 adverse party shall be the period not less than thirty days and not
13 more than one hundred twenty days after completion of the service and
14 filing of the summons and complaint.

15 (2) The rights provided for under this section may not be waived by
16 the parties to a public works contract that is entered into on or after
17 June 11, 1992, and a provision in such a contract that provides for
18 waiver of these rights is void as against public policy. However, this
19 subsection shall not be construed as prohibiting the parties from

1 mutually agreeing to a clause in a public works contract that requires
2 submission of a dispute arising under the contract to arbitration.

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