

# SENATE BILL REPORT

## SB 6315

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As Reported by Senate Committee On:  
Government Operations & Security, February 4, 2016

**Title:** An act relating to local government modernization.

**Brief Description:** Concerning local government modernization.

**Sponsors:** Senators Roach, Takko, Fain and Mullet.

**Brief History:**

**Committee Activity:** Government Operations & Security: 1/28/16, 2/04/16 [DPS].

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### SENATE COMMITTEE ON GOVERNMENT OPERATIONS & SECURITY

**Majority Report:** That Substitute Senate Bill No. 6315 be substituted therefor, and the substitute bill do pass.

Signed by Senators Roach, Chair; Benton, Vice Chair; Pearson, Vice Chair; Dansel, Habib, McCoy and Takko.

**Staff:** Samuel Brown (786-7470)

**Background:** Electronic Signatures at State Agencies. In 2015, the Legislature enacted ESSB 5810, authorizing state agencies to accept electronic signatures with the same force and effect as physical signatures unless specifically provided otherwise by law or agency rule. Each state agency may determine whether and to what extent it will create, generate, communicate, store, process, use, and rely upon electronic records and electronic signatures.

The Chief Information Officer (CIO) must establish policies, standards, or guidelines for electronic submission and receipt of electronic records and signatures, and is directed to encourage and promote consistency and interoperability among state agencies.

County Purchases and Public Works. Most county contracts for the purchase of materials, equipment, or supplies or for public works must be awarded through advertisement and formal sealed bidding. However, advertisement and formal sealed bidding are not required:

- for purchases of less than \$5,000 if the county legislative authority by order dispenses with advertisement and formal sealed bidding;
- for purchases between \$5,000 and \$25,000 if the county legislative authority uses a uniform process specified in other statute to award contracts; and

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- for public works involving less than \$40,000 if the county legislative authority by order has dispensed with advertisement and competitive bidding.

For purchases and public works subject to advertisement and competitive bidding, bids must be in writing and filed with the clerk of the county legislative authority. Public notice must be given announcing the bidding process, including the time and place where bids will be opened and the deadline by which bids must be received, at least once 13 days before the close of bidding.

**Summary of Bill (Recommended Substitute):** Electronic Signatures at Local Agencies. Local agencies, which are defined to include counties, cities, towns, and special purpose districts, may accept electronic signatures with the same force and effect of physical signatures unless specifically provided otherwise by law or agency rule. Each local agency may determine whether and to what extent it will create, generate, communicate, store, process, use, and rely upon electronic records and electronic signatures.

Local agencies electing to send and accept electronic records and signatures must establish policies, standards, or guidelines for submission and receipt of electronic records and signatures. The local agency must take into account reasonable access, the ability of persons to participate in governmental affairs or transactions, and reliance on transactions conducted electronically with agencies.

County Purchasing. The thresholds that govern when advertisement and formal sealed bidding may be dispensed with for the purchase of materials, equipment, or supplies by counties are increased. Advertisement and formal sealed bidding are not required:

- for purchases of less than \$10,000 if the county legislative authority dispenses with advertisement and formal sealed bidding by order; and
- for purchases between \$10,000 and \$50,000 if a uniform process specified in statute is used to award contracts.

Competitive bids for purchases by a county and contracts for purchases and public works in county purchasing departments may be submitted electronically.

**EFFECT OF CHANGES MADE BY GOVERNMENT OPERATIONS & SECURITY COMMITTEE (Recommended Substitute):** Competitive bids for purchases by a county and contracts for purchases and public works in county purchasing departments may be submitted electronically.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Committee/Commission/Task Force Created:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony on Original Bill:** PRO: This bill is about eliminating outdated paper processes and moving to modern business processes leveraging technology.

Inflationary adjustments are made to limits that haven't been changed since 1991, reflecting current costs. More opportunities will be created for small businesses because governments can reach out to more businesses more easily, the informal process requires less vendor resources to respond, and these price levels are where small businesses are better positioned to compete.

**Persons Testifying on Original Bill:** PRO: Danielle Hinz, April Putney, King County.

**Persons Signed In To Testify But Not Testifying on Original Bill:** No one.