S-3891.2

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**SENATE BILL 5961**

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**State of Washington 67th Legislature 2022 Regular Session**

**By** Senators Sefzik, Warnick, Honeyford, Rolfes, Short, and Van De Wege

AN ACT Relating to incentivizing the use of biochar in government contracts; and adding a new section to chapter 43.19A RCW.

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

NEW SECTION. **Sec.**  A new section is added to chapter 43.19A RCW to read as follows:

(1) When planning government-funded projects or soliciting and reviewing bids for such projects, all state agencies and local governments shall consider whether biochar products can be utilized in the project.

(2) If biochar products can be utilized in the project, the state agency or local government must use biochar products, except as follows:

(a) A state agency or local government is not required to use biochar products if:

(i) Biochar products are not available within a reasonable period of time;

(ii) Biochar products that are available do not comply with existing purchasing standards;

(iii) Biochar products that are available do not comply with federal or state health, quality, and safety standards; and

(iv) Biochar purchase prices are not reasonable or competitive; and

(b) A state agency is not required to use biochar products in a project if:

(i) The total cost of using biochar is financially prohibitive;

(ii) Application of biochar will have detrimental impacts on the physical characteristics and nutrient condition of the soil as it is used for a specific crop; or

(iii) The project consists of growing trees in a greenhouse setting, including seed orchard greenhouses.

(3) For the purposes of this section, "biochar" means a carbon-rich material produced during the pyrolysis process.

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