

SENATE BILL REPORT

SB 5088

As of January 9, 2023

Title: An act relating to adding references to contractor registration and licensing laws in workers' compensation, public works, and prevailing wage statutes.

Brief Description: Adding references to contractor registration and licensing laws in workers' compensation, public works, and prevailing wage statutes.

Sponsors: Senators Keiser and King; by request of Department of Labor & Industries.

Brief History:

Committee Activity: Labor & Commerce: 1/12/23.

Brief Summary of Bill

- Adds cross-references to plumbing, electrical, and elevator contractor licensing laws to existing workers' compensation, public works, and prevailing wage statutes.

SENATE COMMITTEE ON LABOR & COMMERCE

Staff: Jarrett Sacks (786-7448)

Background: General and specialty contractors are required to register with the Department of Labor and Industries. In addition to registering, contractors must follow requirements relating to advertising, bonds and insurance, and other matters. In addition to the general contractor licensing statute, separate contractor licensing provisions exist for electrical and elevator contractors. Other statutes, including various public works, prevailing wage, and workers' compensation laws make references to the contractor registration laws.

Prior to 2020, plumbing contractors registered under the general construction contractor registration laws. In 2020, the Legislature passed SB 6170, which created a separate

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plumbing contractor licensing law, requiring plumbing contractors to register under the new law rather than the general construction contractor registration laws.

Summary of Bill: Cross-references to the plumbing contractor licensing laws are added to the following statutes:

- the requirement that a public works contractor must verify the responsibility criteria for certain subcontractors;
- the prevailing wage statutes establishing penalties for filing a false statement, failing to file a required statement or record, and for failing to pay prevailing wages;
- the independent contractor tests for workers' compensation and the references in the workers' compensation statute to those tests; and
- state workers' compensation laws regarding out of state employers covering workers in Washington, record keeping, prime contractor liability for workers' compensation premiums, and stop work orders for failing to secure payment of industrial insurance.

Cross-references to the plumbing, elevator, and electrical contractor licensing laws are added to the following statutes:

- the responsible bidder criteria for public works contracts; and
- the debarment statutes for public works contracts.

Cross-references to the plumbing and elevator contractor licensing laws are added to the independent contractor test for the prevailing wage statutes.

Appropriation: None.

Fiscal Note: Requested on January 5, 2023.

Creates Committee/Commission/Task Force that includes Legislative members: No.

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