

CERTIFICATION OF ENROLLMENT

**SENATE BILL 5903**

Chapter 62, Laws of 2009

61st Legislature  
2009 Regular Session

PUBLIC WORKS CONTRACTS--RESIDENTIAL CONSTRUCTION

EFFECTIVE DATE: 07/26/09

Passed by the Senate March 6, 2009  
YEAS 46 NAYS 0

BRAD OWEN

\_\_\_\_\_  
**President of the Senate**

Passed by the House April 1, 2009  
YEAS 97 NAYS 0

FRANK CHOPP

\_\_\_\_\_  
**Speaker of the House of Representatives**

Approved April 10, 2009, 3:07 p.m.

CHRISTINE GREGOIRE

\_\_\_\_\_  
**Governor of the State of Washington**

CERTIFICATE

I, Thomas Hoemann, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SENATE BILL 5903** as passed by the Senate and the House of Representatives on the dates hereon set forth.

THOMAS HOEMANN

\_\_\_\_\_  
**Secretary**

FILED

April 13, 2009

**Secretary of State  
State of Washington**

---

SENATE BILL 5903

---

Passed Legislature - 2009 Regular Session

State of Washington

61st Legislature

2009 Regular Session

By Senators Keiser, McAuliffe, and Hatfield; by request of Lieutenant Governor

Read first time 02/06/09. Referred to Committee on Labor, Commerce & Consumer Protection.

1 AN ACT Relating to public works contracts for residential  
2 construction; and amending RCW 39.12.030.

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

4 **Sec. 1.** RCW 39.12.030 and 1989 c 12 s 9 are each amended to read  
5 as follows:

6 (1) The specifications for every contract for the construction,  
7 reconstruction, maintenance or repair of any public work to which the  
8 state or any county, municipality, or political subdivision created by  
9 its laws is a party, shall contain a provision stating the hourly  
10 minimum rate of wage, not less than the prevailing rate of wage, which  
11 may be paid to laborers, workers, or mechanics in each trade or  
12 occupation required for such public work employed in the performance of  
13 the contract either by the contractor, subcontractor or other person  
14 doing or contracting to do the whole or any part of the work  
15 contemplated by the contract, and the contract shall contain a  
16 stipulation that such laborers, workers, or mechanics shall be paid not  
17 less than such specified hourly minimum rate of wage. If the awarding  
18 agency determines that the work contracted for meets the definition of  
19 residential construction, the contract must include that information.

1       (2) If the hourly minimum rate of wage stated in the contract  
2 specifies residential construction rates and it is later determined  
3 that the work performed is commercial and subject to commercial  
4 construction rates, the state, county, municipality, or political  
5 subdivision that entered into the contract must pay the difference  
6 between the residential rate stated and the actual commercial rate to  
7 the contractor, subcontractor, or other person doing or contracting to  
8 do the whole or any part of the work under the contract.

Passed by the Senate March 6, 2009.

Passed by the House April 1, 2009.

Approved by the Governor April 10, 2009.

Filed in Office of Secretary of State April 13, 2009.