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HOUSE BILL 1726

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State of Washington

69th Legislature

2025 Regular Session

By Representative Waters

1 AN ACT Relating to prioritizing lumber procured from Washington  
2 state lumber mills for the purpose of public works projects; adding a  
3 new section to chapter 39.04 RCW; and creating a new section.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 39.04  
6 RCW to read as follows:

7 (1) The state, a school district, or a municipality entering into  
8 a contract for the construction, reconstruction, alteration, repair,  
9 improvement, or maintenance of a public building or other public  
10 works project where (a) the project receives more than \$500,000 of  
11 state funds in the state capital budget or financed through a  
12 financing contract as defined in RCW 39.94.020, and (b) the state  
13 funds over one-half of the cost of the project, must require that  
14 lumber used or supplied in the performance of the contract or any  
15 subcontract be procured, in descending order of priority, from  
16 Washington, Oregon, and the United States, unless otherwise exempted  
17 under this section.

18 (2) (a) The requirements of subsection (1) of this section may be  
19 waived by the director of the office of financial management on  
20 behalf of the state, a school district superintendent on behalf of a

1 school district, or the executive head of a municipality on behalf of  
2 a municipality, if the person determines that:

3 (i) Meeting the requirements would be inconsistent with the  
4 public interest;

5 (ii) Lumber is not available in the priority locations in  
6 sufficient or reasonably available quantities and of satisfactory  
7 quality; or

8 (iii) Meeting the requirement would increase the cost of milled  
9 wood products by 10 percent.

10 (b) (i) Before issuing a waiver under this subsection (2), the  
11 director, superintendent, or executive head must provide public  
12 notice on the agency website of the proposed waiver and an  
13 opportunity for public comment on the proposal for at least 30 days  
14 before making a final determination. The public notice must include  
15 information used in making the decision to propose a waiver and the  
16 public must be given the opportunity to provide comments  
17 electronically.

18 (ii) The director, superintendent, or executive head must publish  
19 on the agency website a detailed justification of the decision made  
20 that addresses the public comments received. The publication must  
21 take place before the waiver taking effect.

22 (3) This section applies to public works projects advertised for  
23 bids after the effective date of this section.

24 (4) For the purposes of this section, "municipality" means every  
25 city, county, town, port district, district, or other public agency  
26 authorized by law to require the execution of public work.

27 NEW SECTION. **Sec. 2.** If any part of this act is found to be in  
28 conflict with federal requirements that are a prescribed condition to  
29 the allocation of federal funds to the state, the conflicting part of  
30 this act is inoperative solely to the extent of the conflict and with  
31 respect to the agencies directly affected, and this finding does not  
32 affect the operation of the remainder of this act in its application  
33 to the agencies concerned. Rules adopted under this act must meet  
34 federal requirements that are a necessary condition to the receipt of  
35 federal funds by the state.

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