

CERTIFICATION OF ENROLLMENT

**SUBSTITUTE HOUSE BILL 1671**

56th Legislature  
1999 Regular Session

Passed by the House March 5, 1999  
Yeas 97 Nays 0

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**Speaker of the House of Representatives**

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**Speaker of the House of Representatives**

Passed by the Senate April 8, 1999  
Yeas 47 Nays 0

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**President of the Senate**

Approved

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

CERTIFICATE

We, Dean R. Foster and Timothy A. Martin, Co-Chief Clerks of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 1671** as passed by the House of Representatives and the Senate on the dates hereon set forth.

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**Chief Clerk**

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**Chief Clerk**

FILED

**Secretary of State  
State of Washington**

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**SUBSTITUTE HOUSE BILL 1671**

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Passed Legislature - 1999 Regular Session

**State of Washington                      56th Legislature                      1999 Regular Session**

**By** House Committee on Judiciary (originally sponsored by Representatives Constantine, Radcliff, Kessler, Mastin, Sullivan, Grant, G. Chandler, Reardon, Lisk, Esser, Alexander, McMorris and Mitchell)

Read first time 02/25/1999.

1            AN ACT Relating to actions arising out of public works contracts;  
2 and amending RCW 39.04.240.

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

4            **Sec. 1.** RCW 39.04.240 and 1992 c 171 s 1 are each amended to read  
5 as follows:

6            (1) The provisions of RCW 4.84.250 through 4.84.280 shall apply to  
7 an action arising out of a public works contract in which the state or  
8 a municipality, or other public body that contracts for public works,  
9 is a party, except that: (a) The maximum (~~amount of the pleading~~  
10 ~~shall be two hundred fifty thousand dollars~~) dollar limitation in RCW  
11 4.84.250 shall not apply; and (b) in applying RCW 4.84.280, the time  
12 period for serving offers of settlement on the adverse party shall be  
13 the period not less than thirty days and not more than one hundred  
14 twenty days after completion of the service and filing of the summons  
15 and complaint.

16            (2) The rights provided for under this section may not be waived by  
17 the parties to a public works contract that is entered into on or after  
18 June 11, 1992, and a provision in such a contract that provides for

1 waiver of these rights is void as against public policy. However, this  
2 subsection shall not be construed as prohibiting the parties from  
3 mutually agreeing to a clause in a public works contract that requires  
4 submission of a dispute arising under the contract to arbitration.

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