

CERTIFICATION OF ENROLLMENT
SECOND SUBSTITUTE SENATE BILL 6575

61st Legislature
2010 Regular Session

Passed by the Senate March 10, 2010
YEAS 36 NAYS 12

President of the Senate

Passed by the House March 5, 2010
YEAS 98 NAYS 0

Speaker of the House of Representatives

Approved

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 **SECOND SUBSTITUTE SENATE BILL 6575** as passed by the Senate and the House of Representatives on the dates hereon set forth.

Secretary

FILED

**Secretary of State
State of Washington**

SECOND SUBSTITUTE SENATE BILL 6575

AS AMENDED BY THE HOUSE

Passed Legislature - 2010 Regular Session

State of Washington 61st Legislature 2010 Regular Session

By Senate Ways & Means (originally sponsored by Senators Kohl-Welles, Keiser, Kline, Franklin, and McDermott)

READ FIRST TIME 02/09/10.

1 AN ACT Relating to recommendations of the joint legislative task
2 force on the underground economy; amending RCW 18.27.340 and 18.27.070;
3 reenacting and amending RCW 60.28.040; adding new sections to chapter
4 18.27 RCW; prescribing penalties; and providing an effective date.

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

6 **Sec. 1.** RCW 18.27.340 and 1997 c 314 s 17 are each amended to read
7 as follows:

8 (1) Except as otherwise provided in subsection (3) of this section,
9 a contractor found to have committed an infraction under RCW 18.27.200
10 shall be assessed a monetary penalty of not less than two hundred
11 dollars and not more than five thousand dollars.

12 (2) The director may waive collection in favor of payment of
13 restitution to a consumer complainant.

14 (3) A contractor found to have committed an infraction under RCW
15 18.27.200 for failure to register shall be assessed a fine of not less
16 than one thousand dollars, nor more than five thousand dollars. For a
17 first offense, the director may reduce the penalty for failure to
18 register, but in no case below five hundred dollars, if the person:
19 Becomes registered within ten days of receiving a notice of infraction

1 ~~((and the notice of infraction is for a first offense)); and registers~~
2 ~~for a department-approved contractor training class under section 2 of~~
3 ~~this act within ten days of receiving a notice of infraction, completes~~
4 ~~the class within one hundred twenty days of receiving the notice of~~
5 ~~infraction, and pays any required class fees upon class registration.~~

6 (4) Until July 1, 2011, monetary penalties collected under this
7 chapter shall be deposited in the general fund. Beginning July 1,
8 2011, monetary penalties and class fees collected under this chapter
9 shall be deposited in the contractor registration account created in
10 section 4 of this act.

11 NEW SECTION. Sec. 2. A new section is added to chapter 18.27 RCW
12 to read as follows:

13 The department will approve or conduct contractor training classes
14 and charge a fee, payable upon class registration, that covers the
15 costs of administering the class. The department may adopt rules
16 relating to the number of classes to be offered by the department, the
17 locations of these classes, class fees, and curriculum. In determining
18 the locations of these classes, the department may consider offering
19 online classes and ensure that classes are reasonably accessible in
20 eastern and western Washington. The department shall deposit all fees
21 in the contractor registration account created in section 4 of this
22 act.

23 **Sec. 3.** RCW 18.27.070 and 1997 c 314 s 7 are each amended to read
24 as follows:

25 (1) The department shall charge fees for issuance, renewal, and
26 reinstatement of certificates of registration; and changes of name,
27 address, or business structure. The department shall set the fees by
28 rule.

29 (2) The entire amount of the fees are to be used solely to cover
30 the full cost of issuing certificates, filing papers and notices, and
31 administering and enforcing this chapter. The costs shall include
32 reproduction, travel, per diem, and administrative and legal support
33 costs.

34 (3) The department shall deposit all fees in the contractor
35 registration account created in section 4 of this act.

1 (4) Subject to subsection (5) of this section, the amount of all
2 other taxes, increases, and penalties due and owing from the contractor
3 shall be a lien upon the balance of such retained percentage remaining
4 in the possession of the disbursing officer after all other statutory
5 lien claims have been paid.

6 (5) The employees of a contractor or the contractor's successors or
7 assignees who have not been paid the prevailing wage under such a
8 public improvement contract shall have a first priority lien against
9 the bond or retainage prior to all other liens.

10 NEW SECTION. **Sec. 6.** Sections 3 and 4 of this act take effect
11 July 1, 2011.

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