
HOUSE BILL 2385

State of Washington

66th Legislature

2020 Regular Session

By Representatives Chapman, Lekanoff, Tharinger, and Wylie; by request of Department of Ecology

Prefiled 01/10/20. Read first time 01/13/20. Referred to Committee on Environment & Energy.

1 AN ACT Relating to antifouling paints on recreational water
2 vessels; amending RCW 70.300.020; and adding new sections to chapter
3 70.300 RCW.

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

5 **Sec. 1.** RCW 70.300.020 and 2018 c 94 s 3 are each amended to
6 read as follows:

7 (1) Beginning January 1, (~~2021~~) 2026, no manufacturer,
8 wholesaler, retailer, or distributor may sell or offer for sale in
9 this state any new recreational water vessel manufactured on or after
10 January 1, (~~2021~~) 2026, with antifouling paint containing copper.
11 This restriction does not apply to wood boats.

12 (2) Beginning January 1, (~~2021~~) 2026, antifouling paint that is
13 intended for use on a recreational water vessel and that contains
14 more than 0.5 percent copper may not be offered for sale in this
15 state.

16 (3) Beginning January 1, (~~2021~~) 2026, antifouling paint
17 containing more than 0.5 percent copper may not be applied to a
18 recreational water vessel in this state. This restriction does not
19 apply to wood boats.

1 NEW SECTION. **Sec. 2.** A new section is added to chapter 70.300
2 RCW to read as follows:

3 Beginning January 1, 2023, antifouling paint that contains the
4 chemical cybutryne, chemical abstracts service registration number
5 28159-98-0, may not be offered in this state for use on a
6 recreational water vessel.

7 NEW SECTION. **Sec. 3.** A new section is added to chapter 70.300
8 RCW to read as follows:

9 (1) The department may require a manufacturer, wholesaler, or
10 retailer of antifouling paints or related substances to submit a
11 notice to the department containing the following information:

12 (a) A list of products, including a brief description of each
13 product or product component containing the substance;

14 (b) Product ingredients, including the names of the chemicals
15 used or produced and applicable chemical abstracts service registry
16 numbers;

17 (c) Information regarding exposure and chemical hazard;

18 (d) A description of the function of each chemical in the
19 product;

20 (e) The amount of the chemical used in each unit of the product
21 or product component;

22 (f) The name and address of the manufacturer and the name,
23 address, and phone number of a contact person for the manufacturer;

24 (g) Any other information the manufacturer deems relevant to the
25 appropriate use of the product; and

26 (h) Any other information requested by the department.

27 (2) The manufacturer must provide the notice required in
28 subsection (1) of this section to the department no later than six
29 months after receipt of such a demand by the department.

--- END ---