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**HOUSE BILL 1489**

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**State of Washington**

**67th Legislature**

**2021 Regular Session**

**By** Representatives Boehnke, Corry, Graham, Walen, Chandler, Leavitt, MacEwen, Orwall, Hoff, Chambers, Abbarno, Klicker, Lovick, Shewmake, Dent, Steele, Dufault, Slatter, Jacobsen, Schmick, Eslick, and Young

Read first time 02/05/21. Referred to Committee on Finance.

1 AN ACT Relating to promoting locally manufactured personal  
2 protective equipment; adding new sections to chapter 43.330 RCW;  
3 adding a new section to chapter 82.08 RCW; adding a new section to  
4 chapter 82.12 RCW; adding a new section to chapter 82.04 RCW; and  
5 creating new sections.

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

7 NEW SECTION. **Sec. 1.** This act may be known and cited as the  
8 Washington innovates new personal protective equipment act ("WIN  
9 PPE").

10 NEW SECTION. **Sec. 2.** The legislature finds that Washington has  
11 spent more than \$300,000,000 on personal protective equipment in the  
12 first 10 months of the pandemic, almost exclusively purchased from  
13 overseas with significant delays and supply chain problems. The  
14 legislature further finds that there has been a strong desire for  
15 civic-minded Washington manufacturers to change production lines to  
16 produce personal protective equipment for the state and nation. The  
17 legislature finds that current purchasing preferences are in place in  
18 Washington for products with certain recycled content and other  
19 environmental attributes, but there is no purchasing preference to  
20 guide state procurement policy as it relates to personal protective

1 equipment. Therefore, the legislature intends that the state take a  
2 more active role in creating awareness of the supply of high-quality  
3 and innovative personal protective equipment that is available to be  
4 purchased locally.

5 NEW SECTION. **Sec. 3.** A new section is added to chapter 43.330  
6 RCW to read as follows:

7 The department must maintain a web page on its website that lists  
8 contact information for Washington state producers of personal  
9 protective equipment. The website must be maintained for at least 24  
10 months after the expiration of the gubernatorial declaration of  
11 emergency of February 29, 2020.

12 NEW SECTION. **Sec. 4.** A new section is added to chapter 43.330  
13 RCW to read as follows:

14 (1) Subject to the availability of amounts appropriated for this  
15 specific purpose, the department shall report to the legislature by  
16 December 1, 2021, on the following issues related to personal  
17 protective equipment:

18 (a) The extent to which Washington's stockpile of pandemic  
19 response supplies are Washington-made;

20 (b) Documenting challenges with cost, delays, and quality  
21 experienced in state procurement of personal protective equipment  
22 during the COVID-19 pandemic; and

23 (c) The feasibility and legality of various state procurement  
24 preference options for sourcing personal protective equipment in a  
25 way that increases our health security, the quality of equipment and  
26 its affordability, and certainty of supply during pandemics.

27 (2) For purposes of this section, "personal protection equipment"  
28 means protective clothing, helmets, gloves, face shields, goggles,  
29 face masks, and respirators, and other equipment designed to protect  
30 the wearer from injury or the spread of infection or illness.

31 NEW SECTION. **Sec. 5.** A new section is added to chapter 82.08  
32 RCW to read as follows:

33 (1) The tax levied by RCW 82.08.020 does not apply to sales of  
34 personal protective equipment.

35 (2) As used in this section, "personal protective equipment" has  
36 the meaning provided in section 4(2) of this act.

1        NEW SECTION.    **Sec. 6.**    A new section is added to chapter 82.12  
2    RCW to read as follows:

3        (1) The provisions of this chapter do not apply in respect to the  
4    use of personal protective equipment.

5        (2) As used in this section, "personal protective equipment" has  
6    the meaning provided in section 4(2) of this act.

7        NEW SECTION.    **Sec. 7.**    A new section is added to chapter 82.04  
8    RCW to read as follows:

9        (1) This chapter does not apply to amounts received by a personal  
10    protective equipment manufacturer in respect to the sale of personal  
11    protective equipment.

12        (2) As used in this section, "personal protective equipment" has  
13    the meaning provided in section 4(2) of this act.

14        NEW SECTION.    **Sec. 8.**    The provisions of RCW 82.32.805 and  
15    82.32.808 do not apply to this act.

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