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SENATE BILL 6192

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State of Washington

68th Legislature

2024 Regular Session

By Senators King, Stanford, Mullet, and Nobles

Read first time 01/12/24. Referred to Committee on Labor & Commerce.

1 AN ACT Relating to additional work and change orders on public  
2 and private construction projects; and amending RCW 39.04.360.

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

4 **Sec. 1.** RCW 39.04.360 and 2009 c 193 s 1 are each amended to  
5 read as follows:

6 (1) No later than ~~((thirty))~~ 30 days after satisfactory  
7 completion of any additional work or portion of any additional work  
8 by a contractor, subcontractor, or supplier on a public works project  
9 or private construction project, the owner, contractor,  
10 subcontractor, ~~((the))~~ state, or municipality shall issue a change  
11 order to the contract for the full dollar amount of the work not in  
12 dispute between the owner, contractor, subcontractor, state, or  
13 municipality and the contractor, subcontractor, or supplier. If the  
14 owner, contractor, subcontractor, state, or municipality does not  
15 issue such a change order within the ~~((thirty))~~ 30 days, interest  
16 must accrue on the dollar amount of the additional work  
17 satisfactorily completed and not in dispute until a change order is  
18 issued. The owner, contractor, subcontractor, state, or municipality  
19 shall pay this interest at a rate of one percent per month. For the  
20 purposes of this section, additional work is work beyond the scope  
21 defined in the contract between the contractor, subcontractor, or

1 supplier and the owner, contractor, subcontractor, state, or  
2 municipality.

3 (2) No later than 30 days after satisfactory completion of any  
4 additional work or portion of any additional work and a request by a  
5 subcontractor or supplier, the contractor or subcontractor must  
6 request a change order from the owner, upper-tier contractor, state,  
7 or municipality. If a contractor or subcontractor has requested the  
8 change order from the owner, upper-tier contractor, state, or  
9 municipality within 30 days of the request from the subcontractor or  
10 supplier, the contractor or subcontractor is not liable for any  
11 interest on the unpaid dollar amount for any additional work  
12 satisfactorily completed and not in dispute if the owner, upper-tier  
13 contractor, state, or municipality has not issued the requested  
14 change order.

15 (3) An aggrieved party may bring a civil action for violations of  
16 this section in a court of competent jurisdiction for appropriate  
17 relief, including interest and reasonable attorneys' fees and costs.

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