

## CHAPTER 12.

[H. B. 46.]

## COMPETITIVE BIDDING UPON PUBLIC WORKS.

AN ACT making it unlawful to suppress or eliminate competitive bidding upon public work within the State of Washington, and providing penalties for violation thereof.

*Be it enacted by the Legislature of the State of Washington:*

SECTION 1. When any competitive bid or bids are to be or have been solicited, requested, or advertised for by the State of Washington, or any county, city, town or other municipal corporation therein, or any department of either thereof, for any work or improvement to be done or constructed for or by such state, county, city, town, or other municipal corporation, or any department of either thereof, it shall be unlawful for any person acting for himself or as agent of another, or as agent for or as a member of any partnership, unincorporated firm or association, or as an officer or agent of any corporation, to offer, give, or promise to give, any money, check, draft, property, or other thing of value, to another or to any firm, association, or corporation for the purpose of inducing such other person, firm, association, or corporation, either to refrain from submitting any bids upon such public work or improvement, or to enter into any agreement, understanding or arrangement whereby full and unrestricted competition for the securing of such public work will be suppressed, prevented, or eliminated; and it shall be unlawful for any person to solicit, accept, or receive any money, check, draft, property, or other thing of value upon a promise or understanding, express or implied, that he individually or as an agent or officer of another person, persons, or corporation, will refrain from bidding

Suppression  
or elimina-  
tion of com-  
petitive bid-  
ding pro-  
hibited.

upon such public work or improvement, or that he will on behalf of himself or such others submit or permit another to submit for him any bid upon such public work or improvement in such sum as to eliminate full and unrestricted competition thereon.

Collusion. SEC. 2. It shall be unlawful for any person for himself or as an agent or officer of any other person, persons, or corporation to in any manner enter into collusion or an understanding with any other person, persons, or corporation to prevent or eliminate full and unrestricted competition upon any public work or improvement mentioned in section 1 of this act.

Penalty. SEC. 3. Any person violating any provisions of this act shall be guilty of a gross misdemeanor.

Agreement outside state no defense. SEC. 4. It shall be no defense to a prosecution under this act that a payment or promise of payment of any money, check, draft, or anything of value, or any other understanding or arrangement to eliminate unrestricted competitive bids was had or made outside of the State of Washington, if such work or improvement for which bids are called is to be done or performed within the state.

Emergency. SEC. 5. This act is necessary for the immediate preservation of the public safety and the support of existing institutions of the state and shall take effect immediately.

Passed the House February 2, 1921.

Passed the Senate February 9, 1921.

Approved by the Governor February 16, 1921.