
HOUSE BILL 1513

State of Washington

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2021 Regular Session

By Representatives Lekanoff and Shewmake

1 AN ACT Relating to improving environmental health by reducing
2 carbon emissions through increasing climate resilience and mitigating
3 the effects of climate change by levying a carbon pollution tax,
4 authorizing a climate finance bond program, and investing in clean
5 economic growth; adding a new chapter to Title 82 RCW; adding a new
6 chapter to Title 70A RCW; and creating a new section.

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

8 NEW SECTION. **Sec. 1.** (1) The emission of greenhouse gases, such
9 as carbon dioxide, is a significant contributor to anthropogenic
10 climate change, and has devastating adverse impacts on Washington's
11 economy, environment, natural resources, and communities. Our state
12 is already experiencing rising sea levels, depleting snowpack,
13 increased flooding, acidifying oceans, and more frequent and severe
14 wildfires. These impacts impair our prosperity and impose burdensome
15 costs on our businesses and communities.

16 (2) Climate risk is economic risk, and it is imperative that
17 Washington act now to safeguard the state's communities and
18 industries against future shocks and disasters by putting a price on
19 practices that increase the state's exposure to risk and investing in
20 those that increase resilience. From farmers whose business is
21 directly threatened by the climate crisis, to coastal communities at

1 risk of outright displacement, the state must act now by investing
2 locally at the scale needed to move all Washingtonians toward a
3 future of shared prosperity as we build the clean economy here in
4 Washington state.

5 (3) Washington state is home to some of the world's most
6 innovative companies, a highly skilled workforce, and important
7 industries. As our state transitions away from a fossil fuel-based
8 economy, we must do so in a way that protects these assets and allows
9 our businesses to thrive. By launching a comprehensive fiscal program
10 that incentivizes and invests in resilient infrastructure and
11 climate-smart investments across all areas of development, we can
12 reduce our state's carbon dioxide emissions while preparing our
13 economy for the future.

14 (4) Washington is home to more than 10,000,000 acres of working
15 forestlands, including private lands and state trust lands. These
16 lands represent the foundation of a forest products industry that
17 sequesters massive amounts of carbon dioxide from the atmosphere
18 simply through its standard, baseline operations. These working
19 forests are one of the state's greatest natural assets in combating
20 global greenhouse gas emissions. A statewide carbon policy must
21 support and maintain the ecosystem values provided by the forest
22 products industry. Healthy, sustainable, working forests maximize the
23 forests' ability to absorb carbon dioxide with lumber and other
24 forest products continuing to sequester that carbon dioxide in their
25 useful life. For these reasons, this chapter exempts certain timber-
26 related uses of fuels subject to the carbon pollution tax imposed
27 under this chapter.

28 (5) Washington is also home to one of the most productive and
29 innovative agricultural sectors in the world. Agriculture is not only
30 critical to our economy, but it is integral to our culture. With
31 farmers and farmworkers on the front lines of climate-related
32 disruption such as wildfire, flooding, drought, pests, and other
33 threats to the land, labor, and the business of farming, investing in
34 practices that increase the natural and economic resilience of and
35 decrease the greenhouse gas emissions from Washington agriculture is
36 critical. Farmers have been leading the way on land stewardship and
37 soil health for decades, while operating in a highly trade-exposed
38 and price-constrained industry that imposes singular economic
39 challenges. For these reasons, this chapter exempts certain

1 agricultural uses of fuels subject to the carbon pollution tax
2 imposed under this chapter.

3 (6) Fossil fuel combustion is also responsible for other
4 pollutants, such as nitrous oxide, carbon monoxide, benzene,
5 particulate matter, and others that contribute to respiratory
6 diseases like asthma and lung cancer, which compromise public health,
7 shorten life expectancy, and strain our public health system. This
8 pollution affects all Washingtonians, but falls disproportionately on
9 low-income communities, communities of color, and the most vulnerable
10 of our population. Reducing our reliance on fossil fuels will
11 therefore contribute to improved air quality and improved public
12 health outcomes.

13 (7) The legislature recognizes and finds that the public interest
14 includes, but is not limited to: The equitable distribution of energy
15 benefits and reduction of burdens to vulnerable populations and
16 highly impacted communities; long-term and short-term public health,
17 economic, and environmental benefits and the reduction of costs and
18 risks; and energy security and resiliency. It is the intent of the
19 legislature that in achieving this policy for Washington, there
20 should not be an increase in environmental health impacts to highly
21 impacted communities.

22 (8) The legislature finds that Washington is leading the
23 transition to a clean energy economy, and in 2019 the state adopted
24 the Washington clean energy transformation act, chapter 19.405 RCW,
25 to eliminate coal-fired electricity, ensure that all retail sales of
26 electricity to Washington customers are greenhouse gas neutral by
27 January 1, 2030, supply 100 percent of all retail sales to Washington
28 customers with nonemitting and renewable resources by January 1,
29 2045, and established strong compliance and enforcement mechanisms.
30 Because of the stringent requirements of the Washington clean energy
31 transformation act, the electricity sector is exempt from the carbon
32 pollution tax established in this chapter.

33 (9) The legislature recognizes the concern from imposing the
34 requirements of this chapter on energy-intensive, trade-exposed
35 industries in our state and the possibility that these requirements
36 might provide a comparative disadvantage to producers in unregulated
37 states or counties, leading to a migration of manufacturing to
38 unregulated states or countries and thereby generating a
39 corresponding increase in greenhouse gas emissions, which would
40 undermine the purposes of this chapter. Because of the concern of

1 leakage, the department of ecology must provide a report to the
2 governor and the appropriate committees of the legislature by July
3 30, 2026, with recommendations on imposing the requirements of this
4 chapter on energy-intensive, trade-exposed entities as identified in
5 section 3 of this act.

6 (10) This chapter establishes a carbon pollution tax to account
7 for a significant share of the economic and environmental impacts of
8 greenhouse gas emissions. The revenue from the tax will facilitate
9 the transition from fossil fuels to clean energy and fund investments
10 that will benefit our businesses, our families, and our communities.

11 (11) Furthermore, this act establishes a ten-year, climate
12 finance program that provides much needed additional capacity to
13 invest in a just transition that protects our communities and our
14 economy from future disasters and builds the low-carbon future here
15 in Washington state. This finance program mandates that investment
16 decisions are made in a manner that provides accountability in
17 government spending through a fiscally responsible bond program that
18 invests at scale in climate priorities and delivers maximum returns
19 in the forms of both economic activity and carbon pollution
20 reduction. These investments will not only save Washington taxpayers
21 billions of dollars in avoidable future costs, but also foster growth
22 and stability for rural and urban communities alike, across diverse
23 economic sectors.

24 NEW SECTION. **Sec. 2.** The definitions in this section apply
25 throughout this chapter unless the context clearly requires
26 otherwise.

27 (1) "Biogenic fuel" means any liquid or gaseous fuel that is not
28 a fossil fuel.

29 (2) "Carbon calculation" means a calculation made by the
30 department of ecology, in consultation with the department of
31 commerce, for purposes of determining the carbon dioxide emissions
32 from the complete combustion or oxidation of fossil fuels for use in
33 calculating the tax imposed under section 3 of this act. The carbon
34 calculation also includes the life-cycle analysis of emissions
35 associated with such fuels.

36 (3) "Carbon content of fuels" means the greenhouse gas emissions
37 generated by the combustion or oxidation of fuels.

1 (4) "Carbon dioxide equivalent" means a metric measure used to
2 compare the emissions of various greenhouse gases based on their
3 global warming potential.

4 (5) "Carbon pollution tax" means the tax created in section 3 of
5 this act.

6 (6) "Coal" means coal of any kind, including anthracite coal,
7 bituminous coal, subbituminous coal, lignite, waste coal, syncoal,
8 and coke of any kind.

9 (7) "Consumer price index" means, for any calendar year, that
10 year's annual average consumer price index, for Washington state, for
11 wage earners and clerical workers, all items, compiled by the bureau
12 of labor and statistics, United States department of labor. If the
13 bureau of labor and statistics develops more than one consumer price
14 index for areas within the state, the index covering the greatest
15 number of people, covering areas exclusively within the boundaries of
16 the state, and including all items must be used for the adjustments
17 for inflation in this section.

18 (8) "Department" means the department of revenue.

19 (9) "Direct access gas customer" means a person who purchases
20 natural gas for consumption from any seller other than a seller
21 registered with the department for purposes of paying taxes due under
22 chapter 82.04 or 82.16 RCW.

23 (10) "Facility" means any physical property, plant, building,
24 structure, source, or stationary equipment located on one or more
25 contiguous or adjacent properties in actual physical contact or
26 separated solely by a public roadway or other public right-of-way and
27 under common ownership or common control, that emits or may emit any
28 greenhouse gas.

29 (11) "Fossil fuel" means petroleum products, motor vehicle fuel,
30 special fuel, aircraft fuel, natural gas, petroleum, coal, or any
31 form of solid, liquid, or gaseous fuel derived from these products,
32 including without limitation still gas, propane, and petroleum
33 residuals including bunker fuel.

34 (12) "Fuel" means a fossil fuel or biogenic fuel. "Fuel" does not
35 include electricity.

36 (13) "Gas distribution business" has the same meaning as defined
37 in RCW 82.16.010.

38 (14) "Greenhouse gas" and "greenhouse gases" have the same
39 meaning as defined in RCW 70A.45.010.

1 (15) "Highly impacted community" means a community designated by
2 the department of health based on cumulative impact analyses
3 conducted under RCW 19.405.140, or a community located in a census
4 tract that is fully or partially located on "Indian country," as that
5 term is defined in 18 U.S.C. Sec. 1151.

6 (16) "Light and power business" has the same meaning as defined
7 in RCW 82.16.010.

8 (17) "Motor vehicle fuel" has the same meaning as defined in RCW
9 82.38.020.

10 (18) "Natural gas" means naturally occurring mixtures of
11 hydrocarbon gases and vapors consisting principally of methane,
12 whether in gaseous or liquid form, including methane clathrate.

13 (19) "Person" has the same meaning as defined in RCW 82.04.030.

14 (20) "Petroleum product" has the same meaning as defined in RCW
15 82.23A.010.

16 (21) "Special fuel" has the same meaning as defined in RCW
17 82.38.020 and includes fuel that is sold or used to propel vessels.

18 (22) "Taxpayer" means a person subject to the carbon pollution
19 tax imposed under section 3 of this act.

20 (23) "Tribal lands" has the same meaning as "Indian country" as
21 provided in 18 U.S.C. Sec. 1151, and also includes sacred sites,
22 traditional cultural properties, burial grounds, and other tribal
23 sites protected by federal or state law.

24 (24) "Vulnerable populations" means communities that experience a
25 disproportionate cumulative risk from environmental burdens due to
26 adverse socioeconomic factors and sensitivity factors.

27 (25) "Year" means the 12-month period commencing January 1st and
28 ending December 31st unless otherwise specified.

29 NEW SECTION. **Sec. 3.** (1)(a) Beginning January 1, 2023, a carbon
30 pollution tax is imposed in the state at a rate of tax equal to \$25
31 per metric ton of greenhouse gas emissions. The tax rate
32 automatically increases on January 1, 2024, and each year thereafter,
33 at a rate of five percent per year, and is adjusted for inflation
34 using the consumer price index.

35 (b) As of January 1, 2030, if the department of ecology, based on
36 data collected by the department on total fuels subject to the tax in
37 (a) of this subsection in the previous year, determines that the
38 sources of emissions covered by the tax are not predicted to achieve
39 their combined share of the emissions reductions necessary for the

1 state to achieve the emissions limits established in RCW 70A.45.020,
2 the tax rate established in (a) of this subsection increases by \$10
3 effective as of January 1, 2031. Each year thereafter, the tax rate
4 continues to increase by five percent per year plus inflation, with
5 an additional increase of \$2 per year until the department of ecology
6 determines that the sources of emissions covered by the tax rate are
7 expected to meet the limits established in RCW 70A.45.020, at which
8 point the additional \$2 per year increase is retired, and the annual
9 rate of increase returns to five percent plus inflation. Every two
10 years between the years 2030 and 2050, the department, in
11 consultation with the department of ecology, must reevaluate the
12 necessary tax rate to ensure the state achieves a goal of net-zero
13 emissions by 2050. The department of ecology must make the
14 determinations required under this subsection (1)(b) and notify the
15 department by April 1st of each odd-numbered year.

16 (2) The carbon pollution tax created under this section is
17 imposed on taxable persons for the following fossil fuels at the
18 following points of taxation:

19 (a) For motor vehicle fuel, in accordance with and at the
20 intervals provided in chapter 82.38 RCW;

21 (b) For special fuel, in accordance with and at the intervals
22 provided in chapter 82.38 RCW;

23 (c) For every other petroleum product, in accordance with and at
24 the intervals provided in chapter 82.23A RCW;

25 (d) For fossil fuels not listed elsewhere in this subsection, in
26 accordance with chapters 82.08 and 82.12 RCW unless expressly
27 provided otherwise in this section; and

28 (e) For fossil fuels consumed in refineries, in accordance with
29 the requirements of section 6 of this act.

30 (3) The carbon pollution tax created under this section is
31 imposed on taxable persons for the sale or use of natural gas as
32 follows:

33 (a) Natural gas transported through the state that is not
34 produced or delivered in the state is exempt from the carbon
35 pollution tax. Natural gas possessed or stored in the state is exempt
36 from the carbon pollution tax unless the tax is otherwise applicable
37 under (b), (c), or (d) of this subsection;

38 (b) For natural gas sold by a gas distribution business to a
39 retail customer in the state, the carbon pollution tax is imposed on

1 the gas distribution business upon the sale of such natural gas to
2 the retail customer;

3 (c) For natural gas sold to a light and power business for the
4 purpose of generating electricity in the state, the carbon pollution
5 tax is imposed on the gas distribution business upon the sale of such
6 natural gas to the light and power business; and

7 (d) For natural gas sold to a direct access gas customer in the
8 state, the carbon pollution tax is imposed on the direct access
9 customer upon the use of such natural gas by the direct access
10 customer.

11 (4) The department must determine the tax liability for each
12 taxable person by applying a carbon calculation using methodologies
13 adopted by the department of ecology as follows:

14 (a) For fossil fuels consumed in refineries, the department of
15 ecology must adopt by rule criteria for making the carbon calculation
16 in consultation with the department. The department of ecology must
17 consider, among other information, the reports filed pursuant to
18 section 6 of this act. Among other resources, the department of
19 ecology must consider greenhouse gas content measurements for fossil
20 fuels from the United States energy information administration or the
21 United States environmental protection agency.

22 (b) For all other fossil fuels, the department of ecology, in
23 consultation with the department, must adopt by rule criteria for
24 making the carbon calculation.

25 (c) The department of ecology may require additional information
26 from taxable persons as necessary for determining the carbon
27 calculation under this subsection.

28 (5) The carbon pollution tax in this section is levied solely for
29 the purposes of funding projects and activities that reduce
30 greenhouse gas emissions and mitigate the environmental impacts of
31 greenhouse gas emissions and climate change. Therefore, 100 percent
32 of receipts from the carbon pollution tax created under this section
33 must be deposited in the climate finance account created in section
34 10 of this act. The first and primary obligation of the receipts
35 deposited in the climate finance account created in section 10 of
36 this act is the timely repayment of any and all outstanding special
37 tax obligation bonds that have been issued under the climate finance
38 program authorized under section 10 of this act. Only after debt
39 service obligations have been satisfied can remaining moneys be
40 allocated from the climate finance account created in section 10 of

1 this act to the programs and activities authorized under the
2 greenhouse gas emissions reduction account created in section 17 of
3 this act and the natural climate solutions account created in section
4 18 of this act.

5 (6) (a) The carbon pollution tax created under this section may
6 not be applied to any fossil fuels upon which the tax has been
7 previously imposed.

8 (b) A sale of fossil fuel takes place in the state when the
9 fossil fuel is delivered to a purchaser or a person designated by the
10 purchaser, notwithstanding any contract terms designating a location
11 outside of this state as the place of sale.

12 (c) All sales within this state of a fossil fuel subject to the
13 carbon pollution tax must document the amount of carbon pollution tax
14 paid in accordance with requirements adopted by the department by
15 rule.

16 (d) Persons subject to the carbon pollution tax imposed under
17 this section must provide accounting and reporting to the department
18 relating to how the costs of the carbon pollution tax obligation are
19 passed on to consumers.

20 (7) (a) The department must adopt rules as necessary to implement
21 the carbon pollution tax created in this section. Using the carbon
22 calculations adopted by the department of ecology under subsection
23 (4) of this section, the department must develop and make available
24 worksheets and guidance documents necessary to calculate the carbon
25 pollution tax for fossil fuels subject to the tax. Persons subject to
26 the carbon pollution tax imposed under this section must provide to
27 the department information necessary to implement the tax, in
28 accordance with requirements adopted by the department by rule.

29 (b) (i) To ensure consistency with the collection of the carbon
30 pollution tax imposed under this section, the department of licensing
31 must periodically provide data to the department pertaining to the
32 tax collected under chapter 82.38 RCW.

33 (ii) The department may adopt joint rules and develop joint forms
34 with the department of licensing to impose the carbon pollution tax
35 on the fossil fuel portion of motor vehicle fuel and special fuel
36 taxed under chapter 82.38 RCW. The department may authorize the
37 department of licensing to collect the carbon pollution tax imposed
38 under this section on motor vehicle fuel and special fuel on the
39 department's behalf, and provide for the department of licensing to

1 deposit those funds in the climate finance account created in section
2 10 of this act.

3 (8) By July 30, 2026, the department of ecology must provide a
4 report to the legislature with recommendations on imposing the carbon
5 pollution tax created under this section on energy-intensive, trade-
6 exposed entities, identified according to North American industry
7 classification system code. The recommendations must include input
8 from individual energy-intensive, trade-exposed entities, allow for
9 growth, recognize and provide credit for early actions, recognize the
10 limits of best available control technology, allow for either
11 internal or external benchmarking, and include an analysis of
12 alternative fuels available that could feasibly be used in lieu of
13 fossil fuels.

14 NEW SECTION. **Sec. 4.** (1) The carbon pollution tax created under
15 section 3 of this act does not apply to:

16 (a) Electricity;

17 (b) Biogenic fuels, including biogas, which includes renewable
18 liquid natural gas or compressed natural gas made from biogas,
19 landfill gas, biodiesel, renewable diesel, and cellulosic ethanol;

20 (c) Fossil fuels brought into the state by means of the primary
21 fuel supply tank of a motor vehicle, vessel, locomotive, or aircraft
22 actively supplying fuel for combustion upon entry into the state;

23 (d) Fossil fuels upon which the state is prohibited from imposing
24 a tax under the state Constitution or the Constitution or laws of the
25 United States;

26 (e) Fossil fuels exported from this state. Export to Indian
27 country located within the boundaries of this state is not considered
28 export from this state. For the purposes of this subsection (1)(e),
29 "Indian country" has the same meaning as provided in RCW 37.12.160;

30 (f) Coal transition power as defined in RCW 80.80.010;

31 (g)(i) Motor vehicle fuel or special fuel that is used
32 exclusively for agricultural purposes by a farm fuel user. This
33 exemption is available only if a buyer of motor vehicle fuel or
34 special fuel provides the seller with an exemption certificate in a
35 form and manner prescribed by the department. For the purposes of
36 this subsection (1)(g), "agricultural purposes" and "farm fuel user"
37 have the same meanings as provided in RCW 82.08.865;

38 (ii) The department must determine a method for expanding the
39 exemption provided under this subsection (1)(g) to include fuels used

1 for the purpose of transporting agricultural products on public
2 highways. The department must maintain this expanded exemption for a
3 period of five years, in order to provide the agricultural sector
4 with a feasible transition period;

5 (h) Aircraft fuel as defined in RCW 82.42.010;

6 (i) The portion of fossil fuels purchased in the state and
7 combusted outside the state by interstate motor carriers and vessels
8 used primarily in interstate or foreign commerce. The department must
9 provide a methodology by rule to apportion fossil fuels consumed
10 inside the state of Washington by interstate motor carriers and
11 vessels used primarily in interstate or foreign commerce;

12 (j) Activities or property of Indian tribes and individual
13 Indians that are exempt from state imposition of a tax as a matter of
14 federal law or state law, whether by statute, rule, or compact; and

15 (k)(i) Motor vehicle fuel or special fuel that is used by the
16 following: (A) Log transportation businesses; and (B) persons in the
17 business of extracting timber. This exemption is available only if a
18 buyer of motor vehicle fuel or special fuel provides the seller with
19 an exemption certificate in a form and manner prescribed by the
20 department.

21 (ii) For the purposes of this subsection (1)(k), the following
22 definitions apply: (A) "Log transportation business" has the same
23 meaning as provided in RCW 82.16.010; and (B) "timber" means forest
24 trees, standing or down, on privately owned or publicly owned land,
25 and does not include Christmas trees that are cultivated by
26 agricultural methods or short-rotation hardwoods as defined in RCW
27 84.33.035.

28 (iii) The department must determine a method for expanding the
29 exemption provided under this subsection (1)(k) to include fuels used
30 for the purpose of transporting forest products on public highways.
31 The department must maintain this expanded exemption for a period of
32 five years, in order to provide the forest products sector with a
33 feasible transition period.

34 (2)(a) For any fossil fuels subject to the carbon pollution tax
35 created in section 3 of this act that are also subject to a
36 comparable carbon pollution tax or charge on carbon content imposed
37 by another jurisdiction, including the federal government, or
38 allowances required to be purchased by another jurisdiction, the
39 taxpayer may take a credit against the carbon pollution tax imposed
40 under this chapter equal to the amount of the tax or charge paid to

1 the other jurisdiction, up to the amount of tax owed under this
2 chapter, provided that the person claiming the credit provides
3 evidence acceptable to the department that the equivalent tax or
4 charge has been paid.

5 (b) For the purposes of this subsection, a comparable carbon
6 pollution tax or charge means a tax or charge that is:

7 (i) Imposed on the sale, use, possession, transfer, or
8 consumption of fossil fuels generated through the combustion of
9 fossil fuels; or

10 (ii) Measured in terms of greenhouse gas emissions resulting from
11 the complete combustion or oxidation of fossil fuels.

12 (3) (a) A person is entitled to a refund or credit of the tax on
13 the carbon content of fuels included in the price of fossil fuels
14 purchased by the person if:

15 (i) An exemption provided under this section applies to the
16 person or the person's use or disposition of the fossil fuels; and

17 (ii) The person submits an application to the department in a
18 form and manner required by the department within four years after
19 the calendar year in which the person paid the taxes for which the
20 refund or credit is sought.

21 (b) Refunds or credits of the tax on the carbon content of fuels
22 are not subject to interest.

23 NEW SECTION. **Sec. 5.** The provisions of chapter 82.32 RCW apply
24 to this chapter. If there is a conflict between a provision of this
25 chapter and a provision of chapter 82.32 RCW, the provision of this
26 chapter controls.

27 NEW SECTION. **Sec. 6.** (1) Persons consuming fossil fuels in
28 refineries must file with the department and the department of
29 ecology:

30 (a) A fuel use report similar to the United States environmental
31 protection agency facility level information on greenhouse gases tool
32 report containing their fossil fuel greenhouse gas emissions; and

33 (b) Such other information as the department of ecology may
34 require by rule.

35 (2) (a) The department may adopt by rule a day each month by which
36 the information specified in subsection (1) of this section must be
37 submitted to the department for the previous calendar month, together
38 with the tax calculated thereon based on the tax tables adopted by

1 the department and the department of ecology. The tax on the carbon
2 content reported must be paid to the department within 15 days of the
3 filing required by subsection (1) of this section.

4 (b) The rules adopted by the department under this section may
5 allow a refinery to file an interim report based on estimates
6 together with an estimated payment based thereon and then file a
7 final report at a later date specified by the department. The
8 department must impose interest and penalties on underpayments in
9 accordance with the requirements of chapter 82.32 RCW.

10 NEW SECTION. **Sec. 7.** (1) On or before December 31, 2024, and on
11 or before December 31st of each even-numbered year thereafter, and in
12 compliance with RCW 43.01.036, the department of commerce, with
13 support from the department, must submit a report to the governor and
14 the legislature as required by this subsection. The initial report
15 must include recommendations for establishing a process to audit uses
16 of the accounts created in sections 17 and 18 of this act. The report
17 must contain recommendations for modifications or improvements to
18 this act to ensure the goals of this act are being met, in addition
19 to the following with respect to the act's implementation for the
20 period since the last report:

21 (a) The total carbon pollution taxes collected during the
22 reporting period and a list of the taxpayers and the amount of carbon
23 pollution tax paid by those taxpayers. The department must provide
24 the information required under this subsection (1)(a), which is not
25 confidential information under RCW 82.32.330;

26 (b) Estimated costs incurred by the department, the department of
27 commerce, and the department of ecology, directly associated with
28 administration of the carbon pollution tax, shown both in dollar
29 amounts and as a percentage of the total amount of carbon pollution
30 tax revenues collected;

31 (c) Impacts to the economic health of Washington state, including
32 verifiable data on job creation, economic activity, avoided costs,
33 financial risk management, and cobenefits generated by the investment
34 of these revenues;

35 (d) A summary of the investments made through the climate bond
36 proceeds account created in section 14 of this act, the greenhouse
37 gas emissions reduction account created in section 17 of this act,
38 and the natural climate solutions account created in section 18 of
39 this act. The summary must include amounts invested in each program

1 area, project descriptions, names of grant recipients, an estimate of
2 the greenhouse gas emissions reductions achieved or anticipated via
3 the investments, and other pertinent information or information as
4 periodically requested by the legislature; and

5 (e) An environmental justice analysis that reports on
6 environmental, health, and economic impacts on highly impacted
7 communities and vulnerable populations from climate impacts and state
8 measures taken to meet Washington's greenhouse gas emissions limits,
9 including the tax and investments authorized by this act.

10 (2) The department of commerce must provide information on its
11 website regarding the impacts of the carbon pollution tax under this
12 chapter on the price of electricity, natural gas, and vehicle fuels
13 by sector.

14 NEW SECTION. **Sec. 8.** (1) The directors of the department, the
15 department of ecology, department of commerce, department of
16 licensing, and the secretary of the department of transportation must
17 adopt such rules as necessary for the implementation and proper
18 administration of this chapter and may coordinate concerning the
19 process, timelines, and documentation related to the rule making, as
20 necessary.

21 (2) By December 1, 2022, the department of ecology, in
22 consultation with the department, must adopt a rule providing for the
23 carbon calculation required under section 3(4) of this act. The
24 department must rely on the rule adopted by the department of ecology
25 for purposes of imposing and administering the tax.

26 NEW SECTION. **Sec. 9.** (1) It is the intent of the legislature
27 that each year the total investments made through the climate bond
28 proceeds account created in section 14 of this act, the greenhouse
29 gas emissions reduction account created in section 17 of this act,
30 and the natural climate solutions account created in section 18 of
31 this act achieve the following:

32 (a) At least 35 percent of total investments authorized under
33 this chapter must provide direct and meaningful benefits to
34 vulnerable populations within the boundaries of highly impacted
35 communities, as designated by the department of health under RCW
36 19.405.140; and

37 (b) At least 10 percent of the total investments authorized under
38 this chapter must be used for programs, activities, or projects

1 formally supported by a resolution of an Indian tribe, with priority
2 given to otherwise qualifying projects directly administered or
3 proposed by an Indian tribe. An investment that meets the
4 requirements of both this subsection (1)(b) and (a) of this
5 subsection may count toward the requisite minimum percentage for both
6 subsections.

7 (2) The expenditure of moneys under this chapter must be
8 consistent with applicable federal, state, and local laws, and treaty
9 rights including, but not limited to, prohibitions on uses of funds
10 imposed by the state Constitution.

11 (3) For the purposes of this section, "benefits" means
12 investments or activities that:

13 (a) Reduce vulnerable population characteristics, environmental
14 burdens, or associated risks that contribute significantly to the
15 cumulative impact designation of highly impacted communities;

16 (b) Meaningfully protect a highly impacted community from, or
17 support community response to, the impacts of air pollution or
18 climate change; or

19 (c) Meet a community need identified by vulnerable members of the
20 community that is consistent with the intent of this chapter.

21 NEW SECTION. **Sec. 10.** The climate finance account is created in
22 the state treasury. One hundred percent of all receipts from the
23 carbon pollution tax created in section 3 of this act must be
24 deposited into the account. Moneys in the account may be spent only
25 after appropriation.

26 (1) Moneys in the account must be used first and foremost for the
27 payment of principal and interest on bonds authorized in section 11
28 of this act. The state finance committee shall, on or before June
29 30th of each year, certify to the state treasurer the amount needed
30 in the ensuing 12 months to meet the bond retirement and interest
31 requirements on the bonds authorized under section 11 of this act.
32 The state finance committee may provide that special subaccounts be
33 created in the account to facilitate payment of the principal and
34 interest on the bonds.

35 (2) On July 1st of each year, the state treasurer shall transfer
36 from the climate finance account to the climate bonds retirement
37 account an amount equal to the amount certified by the state finance
38 committee in this section.

1 (3) (a) Moneys remaining in the climate finance account after the
2 transfer made pursuant to subsection (2) of this section may be used
3 only for projects and programs that achieve the purposes of the
4 carbon pollution tax as provided under section 3(5) of this act.
5 Moneys in the account as described in this subsection must first be
6 appropriated for the administration of the requirements of this
7 chapter, in an amount not to exceed five percent of the total receipt
8 of funds from the carbon pollution tax imposed under section 3 of
9 this act. Beginning July 1, 2023, and annually thereafter, the state
10 treasurer shall distribute funds in the account as follows:

11 (i) Seventy-five percent of the moneys to the greenhouse gas
12 emissions reduction account created in section 17 of this act; and

13 (ii) Twenty-five percent of the moneys to the natural climate
14 solutions account created in section 18 of this act.

15 (b) The allocations specified in (a)(i) and (ii) of this
16 subsection must be reviewed by the legislature on a biennial basis
17 based on the changing needs of the state in meeting its clean economy
18 and greenhouse gas reduction goals in a timely, economically
19 advantageous, and equitable manner.

20 NEW SECTION. **Sec. 11.** (1) The state finance committee is
21 authorized to issue special tax obligation bonds of the state of
22 Washington in amounts not to exceed the sum of \$4,943,000,000, or as
23 much thereof as may be required, payable from receipts from the
24 carbon pollution tax created in section 3 of this act deposited in
25 the climate finance account created in section 10 of this act, to
26 finance project categories as described under sections 17 and 18 of
27 this act, and all costs incidental thereto.

28 (2) Bonds authorized in this section may be sold at such price as
29 the state finance committee shall determine. No bonds authorized in
30 this section may be offered for sale without prior legislative
31 appropriation of the net proceeds of the sale of the bonds.

32 (3) The state finance committee may determine and include in any
33 resolution authorizing the issuance of any bonds authorized by this
34 chapter such terms, provisions, covenants, and conditions as it may
35 deem appropriate in order to assist with the marketing and sale of
36 the bonds, confer rights upon the owners of bonds, and safeguard
37 rights of the owners of bonds, including, among other things:

1 (a) Provisions that the bonds shall be payable solely from and
2 secured solely by the carbon pollution tax revenues received in the
3 climate finance account created in section 10 of this act;

4 (b) The conditions that must be satisfied prior to the issuance
5 of any additional bonds that are to be payable from and secured by
6 the carbon pollution tax revenues received in the climate finance
7 account created in section 10 of this act on equal basis with
8 previously issued and outstanding bonds payable from carbon pollution
9 tax revenues received in the climate finance account created in
10 section 10 of this act;

11 (c) Provisions regarding reserves and credit enhancements;

12 (d) Whether bonds may be issued as tax-exempt bonds or must be
13 issued as taxable bonds under the applicable provisions of the
14 federal internal revenue code; and

15 (e) Whether the state will pursue third-party certification of
16 bonds authorized by this chapter as green bonds, climate bonds, or
17 any other appropriate certification that the state finance committee
18 determines will increase marketability or minimize the cost of the
19 bonds. Regardless of whether the state pursues third-party
20 certification, bond proceeds must be used for projects that produce
21 measurable climate mitigation or adaptation benefits.

22 NEW SECTION. **Sec. 12.** (1) The special tax obligation bonds
23 authorized by this chapter may be issued for a period not to exceed
24 10 years. The authorization to issue bonds provided under section 11
25 of this act does not expire until the full authorization has been
26 issued and disbursed, or until the end of the 10-year period,
27 whichever occurs first. The state finance committee may choose to
28 decrease the period of issuance based on updated forecasts and fiscal
29 needs, but any increase in the period of issuance beyond the 10-year
30 period authorized under this section requires the approval of the
31 legislature.

32 (2) On a quarterly basis, and in compliance with RCW 43.01.036,
33 the state treasurer may submit a report to the legislature that
34 provides recommendations on the level of issuances over the 10-year
35 period based on updated revenue forecasts, market factors, and fiscal
36 needs. No bond issuance may be structured such that debt service
37 obligations remain past December 31, 2050.

1 NEW SECTION. **Sec. 13.** Bonds authorized under this chapter are
2 not a general obligation of the state and the full faith, credit, and
3 taxing powers of the state are not pledged for their payment. Each
4 bond issued under the authority of this chapter shall distinctly
5 state that payment or redemption of the bond and payment of the
6 interest and any premium thereon is payable solely from and secured
7 solely by a pledge of the carbon pollution tax revenues received in
8 the climate finance account created in section 10 of this act, and is
9 not a general obligation of the state. The legislature pledges to
10 appropriate the carbon pollution tax revenues pledged to the payment
11 of the bonds issued under this chapter. The state finance committee
12 shall include this pledge and agreement of the state to owners of any
13 bonds issued under this chapter. The owner of any bond or the trustee
14 of the owner of any of the bonds may by mandamus or other appropriate
15 proceeding require the transfer and payment of pledged funds as
16 directed in this section.

17 NEW SECTION. **Sec. 14.** The climate bond proceeds account is
18 created in the state treasury. The proceeds from the sale of bonds
19 authorized in section 11 of this act must be deposited in the
20 account. Moneys in the account may be spent only after appropriation
21 and only for project categories as described under sections 17 and 18
22 of this act and for the payment of expenses incurred in the issuance
23 and sale of the bonds. If the state finance committee deems it
24 necessary to issue the bonds authorized in section 11 of this act as
25 taxable bonds in order to comply with federal internal revenue
26 service rules and regulations pertaining to the use of nontaxable
27 bond proceeds, the proceeds of such taxable bonds must be deposited
28 into the climate taxable bond account. The state treasurer shall
29 submit written notice to the director of financial management if it
30 is determined that any such transfer to the climate taxable bond
31 account is necessary.

32 NEW SECTION. **Sec. 15.** The climate bonds retirement account is
33 created in the state treasury. Moneys in the account must be used
34 only for the payment of principal and interest on bonds authorized in
35 section 11 of this act. The state finance committee may provide that
36 special subaccounts be created in the account to facilitate payment
37 of the principal and interest on the bonds. The state finance
38 committee shall, on or before June 30th of each year, certify to the

1 state treasurer the amount needed in the ensuing 12 months to meet
2 the bond retirement and interest requirements on the bonds authorized
3 in section 11 of this act.

4 NEW SECTION. **Sec. 16.** The state finance committee may issue
5 bonds to refund outstanding bonds issued under this chapter,
6 including the payment of any redemption premiums on the bonds and any
7 interest accrued to or to accrue to the first redemption date after
8 delivery of the refunding bonds. The proceeds of the refunding bonds
9 may, at the discretion of the committee, be applied to the purchases
10 or payment at maturity of the bonds to be refunded, or the redemption
11 of the outstanding bonds on the first redemption date after delivery
12 of the refunding bonds and may, until so used, be placed in escrow to
13 be applied to the purchase, retirement, or redemption. Refunding
14 bonds issued under this section must be issued and secured in the
15 manner provided by the state finance committee.

16 NEW SECTION. **Sec. 17.** (1) The greenhouse gas emissions
17 reduction account is created in the state treasury. The account must
18 receive moneys distributed to the account from the climate finance
19 account created in section 10 of this act. Moneys in the account may
20 be spent only after appropriation. Moneys in the account must be used
21 by the department of commerce and the department of transportation
22 for projects and incentive programs that yield verifiable reductions
23 in greenhouse gas emissions in excess of baseline practices. A
24 minimum of 75 percent of the funds available in the account must be
25 directed toward the transportation investments provided in (h)(i)
26 through (iv) of this subsection. Projects and programs eligible for
27 funding from the account must be physically located in Washington
28 state and include, but are not limited to, the following:

29 (a) Supplementing the growth management planning and
30 environmental review fund established in RCW 36.70A.490 for the
31 purpose of making grants or loans to local governments for the
32 purposes set forth in RCW 43.21C.240, 43.21C.031, 36.70A.500, and
33 36.70A.600, for costs associated with RCW 36.70A.610, and to cover
34 costs associated with the adoption of optional elements of
35 comprehensive plans consistent with RCW 43.21C.420;

36 (b) Programs, activities, or projects that deploy renewable
37 energy resources, such as solar and wind power, and projects to

1 deploy distributed generation, energy storage, demand-side
2 technologies and strategies, and other grid modernization projects;

3 (c) Programs, activities, or projects that increase the energy
4 efficiency or reduce greenhouse gas emissions of industrial
5 facilities including, but not limited to, proposals to implement
6 combined heat and power, district energy, or on-site renewables, such
7 as solar and wind power, to upgrade the energy efficiency of existing
8 equipment, to reduce process emissions, and to switch to less
9 emissions intensive fuel sources;

10 (d) Programs, activities, or projects that achieve energy
11 efficiency or emissions reductions in the agricultural sector
12 including fertilizer management, soil management, bioenergy, and
13 biofuels;

14 (e) Programs, activities, or projects that increase energy
15 efficiency in new and existing buildings, or that promote low-carbon
16 architecture, including use of newly emerging alternative building
17 materials that result in a lower carbon footprint in the built
18 environment over the life cycle of the building and component
19 building materials;

20 (f) Programs, activities, or projects that promote the
21 electrification and decarbonization of new and existing buildings,
22 including residential, commercial, and industrial buildings;

23 (g) Programs, activities, or projects that improve energy
24 efficiency, including district energy, and investments in market
25 transformation of energy efficiency products; and

26 (h) Programs, activities, or projects that reduce greenhouse gas
27 emissions or mitigate the impact of greenhouse gas emissions from the
28 transportation sector including, but not limited to, the following:

29 (i) The deployment of clean alternative fuel vehicle charging and
30 refueling infrastructure;

31 (ii) The support of clean alternative fuel car sharing programs
32 to provide clean alternative fuel vehicle use opportunities to
33 underserved communities and low to moderate-income members of the
34 workforce not readily served by transit, or located in transportation
35 corridors with emissions that exceed federal or state emissions
36 standards;

37 (iii) The provision of financing assistance to facilitate the
38 purchase of battery and fuel cell electric vehicles by lower income
39 residents of the state;

1 (iv) The provision of grants to transit authorities in the state
2 to fund cost-effective capital projects that reduce the carbon
3 intensity of the Washington transportation system including, but not
4 limited to, electrification vehicle fleets, modification or
5 replacement of capital facilities in order to facilitate fleet
6 electrification or hydrogen refueling, upgrades to electrical
7 transmission and distribution systems, and construction of charging
8 and fueling stations;

9 (v) The electrification and decarbonization of the state's
10 passenger ferry fleet; and

11 (vi) The conversion to battery or fuel cell electric fleets for
12 the state, counties, cities, and public transit agencies.

13 (2) Public entities including, but not limited to, state
14 agencies, municipal corporations, and federally recognized Indian
15 tribes, as well as private entities, both not-for-profit and for-
16 profit, subject to constitutional limitations, are eligible to
17 receive greenhouse gas emissions reduction account funds authorized
18 by this section.

19 (3) Projects, activities, and programs must meet criteria to be
20 established by the department of transportation, for transportation
21 investments, and the department of commerce, for all other
22 investments. In developing criteria, the department of transportation
23 and department of commerce may contract with the Washington academy
24 of sciences established under chapter 70A.40 RCW for independent
25 expertise.

26 (4) Projects or activities funded under this section should meet
27 high labor standards, including family level wages, providing
28 benefits including health care and pensions, and maximize access to
29 economic benefits from such projects for local workers and diverse
30 businesses.

31 (5) Funding may be provided for incremental greenhouse gas
32 emissions reductions from projects that have already secured funding,
33 but which can achieve more emissions reductions with additional
34 resources.

35 (6) Recipients of funding for projects must submit to the
36 department of commerce or department of transportation, as
37 appropriate, a progress report at a date or dates to be determined by
38 the department of commerce and department of transportation. The
39 progress report must contain information as may be required by the
40 department of commerce and department of transportation by rule.

1 (7) The department of commerce and department of transportation
2 must design project funding contracts, monitor project
3 implementation, and track contract performance, to actively assist
4 the project proponent in securing the expected project outcomes. The
5 department of commerce may suspend or terminate funding when projects
6 do not achieve projected reductions as provided in the funding
7 agreement and, in cases of gross misuse of funds, may require a
8 return of grant funding.

9 (8) The department of commerce and department of transportation
10 must develop an electronic database available to the public to track
11 projects and incentive programs receiving funding under this section.
12 Projects must be ranked and sortable based on quantitative
13 performance metrics, including the avoided cost of a ton of carbon
14 dioxide equivalents.

15 (9) The department of commerce and department of transportation
16 must develop implementation plans for providing funding under this
17 section. The implementation plans must be provided to the climate
18 oversight board created in section 20 of this act, as well as to the
19 governor and the appropriate committees of the legislature by
20 December 31, 2022.

21 NEW SECTION. **Sec. 18.** (1) The natural climate solutions account
22 is created in the state treasury. All moneys directed to the account
23 from the climate finance account created in section 10 of this act
24 must be deposited in the account. Moneys in the account may be spent
25 only after appropriation. Moneys in the account are intended to
26 increase the resilience of the state's waters, forests, and other
27 vital ecosystems to the impacts of climate change, as well as
28 increase their carbon pollution reduction capacity through
29 sequestration, storage, and overall ecosystem integrity. Moneys in
30 the account must be spent in a manner that is consistent with
31 existing and future assessments of climate risks and resilience from
32 the scientific community and expressed concerns of and impacts to
33 highly impacted communities, as designated by the department of
34 health under RCW 19.405.140.

35 (2) Moneys in the account may be allocated for the following
36 purposes:

37 (a) Clean water investments that improve resilience from climate
38 impacts. Funding under this subsection (2)(a) must be used to:

1 (i) Restore and protect estuaries, fisheries, and marine
2 shoreline habitats, and prepare for sea level rise including, but not
3 limited to, making fish passage correction investments such as those
4 identified in the cost-share barrier removal program for small forest
5 landowners created in RCW 76.13.150 and those that are considered by
6 the fish passage barrier removal board created in RCW 77.95.160;

7 (ii) Increase the ability to remediate and adapt to the impacts
8 of ocean acidification;

9 (iii) Reduce flood risk and restore natural floodplain ecological
10 function;

11 (iv) Increase the sustainable supply of water and improve aquatic
12 habitat, including groundwater mapping and modeling;

13 (v) Improve infrastructure treating stormwater from previously
14 developed areas within an urban growth boundary designated under
15 chapter 36.70A RCW, with a preference given to projects that use
16 green stormwater infrastructure; or

17 (vi) Preserve or increase carbon sequestration and storage
18 benefits in agricultural soils and timber stock consistent with RCW
19 70A.45.090.

20 (b) Healthy forest investments to improve resilience from climate
21 impacts. Funding under this subsection (2)(b) must be used for
22 projects and activities that will:

23 (i) Increase resilience to wildfire in the face of increased
24 seasonal temperatures and drought; or

25 (ii) Improve forest health and reduce vulnerability to changes in
26 hydrology, insect infestation, and other impacts of climate change.

27 (3) Moneys in the account may not be used for projects that would
28 violate tribal treaty rights or result in significant long-term
29 damage to critical habitat or ecological functions. Investments from
30 this account must result in long-term environmental benefits and
31 increased resilience to the impacts of climate change.

32 NEW SECTION. **Sec. 19.** The environmental justice council
33 established under chapter . . . (Senate Bill No. 5141), Laws of 2021
34 must:

35 (1) Prepare recommendations for and provide oversight of the
36 impacts of the carbon pollution tax created under section 3 of this
37 act and associated programs established under this act affecting low-
38 income populations, vulnerable populations, and highly impacted
39 communities;

1 (2) Define environmental justice progress indicators for this
2 chapter, including:

3 (a) The elimination of oil, natural gas, coal, and other
4 materials emitting carbon dioxide, black carbon, methane, nitrogen
5 oxides, and fluorinated gases imported into Washington state or
6 extracted within the state;

7 (b) The elimination of the emissions attributable to consumption
8 in Washington state, emitted outside Washington state;

9 (c) The air quality, water quality, and land and buildings free
10 from toxins associated with fossil fuels;

11 (d) The elimination of environmental health disparities that
12 disproportionately impact households that are Black, indigenous, and
13 people of color, or in areas that are highly impacted communities;
14 and

15 (e) The reduction of economic inequality and elimination of
16 poverty and the prevalence of livelihoods and high-road employment
17 opportunities accessible to all; and

18 (3) Define and provide instruction on meaningful consultation
19 with vulnerable populations and low-income populations and provide
20 opportunities for vulnerable populations to consult on the
21 implementation of this chapter.

22 NEW SECTION. **Sec. 20.** (1) The climate oversight board is
23 created within the office of the governor. The climate oversight
24 board consists of:

25 (a) The governor or the governor's designee;

26 (b) The state commissioner of public lands or the commissioner's
27 designee;

28 (c) The state auditor or the auditor's designee;

29 (d) The state insurance commissioner or the commissioner's
30 designee;

31 (e) The state treasurer or the treasurer's designee;

32 (f) Two members of the senate, appointed by the president of the
33 senate, one from each of the two largest caucuses of the senate;

34 (g) Two members of the house of representatives, appointed by the
35 speaker of the house of representatives, one from each of the two
36 largest caucuses of the house of representatives; and

37 (h) The following members, to be appointed by the governor:

38 (i) Two members selected by federally recognized tribes within
39 the state of Washington;

1 (ii) Three members from highly impacted communities, one
2 representing a statewide environmental justice organization;

3 (iii) Members representing stationary emissions sources, the
4 transportation fuels sector, the electricity and gas distribution
5 sectors, renewable energy production, and climate action
6 organizations; and

7 (iv) Persons with economic, environmental, and energy expertise
8 and experience in greenhouse gas emissions reductions policies and
9 programs.

10 (2) Members of the climate oversight board are appointed for
11 four-year terms. The climate oversight board must select a chair from
12 among its members. All state agencies must provide information and
13 assistance as requested by the board in order to perform its
14 responsibilities.

15 (3) The climate oversight board is responsible for ongoing review
16 of the implementation of the carbon pollution tax and funding from
17 the revenues of the tax to ensure the fairest, most equitable, most
18 efficient, and timely achievement of the objectives in this chapter.
19 The board's responsibilities include, but are not limited to:

20 (a) Reviewing the plans for implementing the funding programs
21 authorized in sections 17 and 18 of this act;

22 (b) Reviewing the criteria for funding allocations and project
23 award decisions;

24 (c) Reviewing project and activity funding decisions as well as
25 summary reports and information regarding implementing projects;

26 (d) Reviewing implementation progress reports by agencies;

27 (e) Reviewing compliance with consultation requirements; and

28 (f) Providing recommendations for standards by which to measure
29 emissions reductions outcomes from investments of funds under this
30 act.

31 (4) The climate oversight board may conduct some or all of its
32 responsibilities jointly with the environmental justice council
33 established under chapter . . . (Senate Bill No. 5141), Laws of 2021.

34 (5) The climate oversight board may contract with the Washington
35 academy of sciences established under chapter 70A.40 RCW for
36 independent evaluative expertise in its review of the performance of
37 the programs, activities, and projects provided for in this chapter
38 in meeting this chapter's objectives.

39 (6) Legislative members of the climate oversight board are
40 reimbursed for travel expenses in accordance with RCW 44.04.120.

1 Nonlegislative members are not entitled to be reimbursed for travel
2 expenses if they are elected officials or are participating on behalf
3 of an employer, governmental entity, or other organization. Any
4 reimbursement for other nonlegislative members is subject to chapter
5 43.03 RCW.

6 (7) Beginning July 1, 2022, the climate oversight board must meet
7 at least quarterly. The climate oversight board must submit a
8 biennial report with its findings and recommendations to the
9 appropriate committees of the legislature no later than December 1st
10 of each even-number year beginning in 2024.

11 (8) The climate oversight board has no appropriation authority.

12 NEW SECTION. **Sec. 21.** All definitions in section 2 of this act
13 apply throughout sections 9 through 20 of this act unless the context
14 clearly requires otherwise.

15 NEW SECTION. **Sec. 22.** This chapter may be known and cited as
16 the Washington sustainable transformative recovery opportunities for
17 the next generation act.

18 NEW SECTION. **Sec. 23.** As of the effective date of this section,
19 chapter 173-442 WAC and associated amendments to chapter 173-442 WAC
20 previously adopted by the department of ecology may not be enforced
21 by the department of ecology. If the tax imposed under this chapter
22 is invalidated, the department of ecology is directed to use the full
23 extent of its authority to regulate sources of greenhouse gas
24 emissions under chapter 70A.15 RCW to help achieve the limits
25 specified in RCW 70A.45.020.

26 NEW SECTION. **Sec. 24.** If any provision of this act or its
27 application to any person or circumstance is held invalid, the
28 remainder of the act or the application of the provision to other
29 persons or circumstances is not affected.

30 NEW SECTION. **Sec. 25.** The provisions of RCW 82.32.805 and
31 82.32.808 do not apply to this act.

32 NEW SECTION. **Sec. 26.** Sections 1 through 8 of this act
33 constitute a new chapter in Title 82 RCW.

1 NEW SECTION. **Sec. 27.** Sections 9 through 23 of this act
2 constitute a new chapter in Title 70A RCW.

--- **END** ---