
SENATE BILL 5985

State of Washington

67th Legislature

2022 Regular Session

By Senator Fortunato

1 AN ACT Relating to setting a different direction on environmental
2 policy in order to reduce the skyrocketing prices of basic goods and
3 services; creating new sections; and repealing RCW 19.27A.200,
4 19.27A.210, 19.27A.220, 19.27A.230, 19.27A.240, 19.285.010,
5 19.285.020, 19.285.030, 19.285.040, 19.285.045, 19.285.050,
6 19.285.060, 19.285.070, 19.285.080, 19.285.900, 19.285.902,
7 19.405.010, 19.405.020, 19.405.030, 19.405.040, 19.405.050,
8 19.405.060, 19.405.070, 19.405.080, 19.405.090, 19.405.100,
9 19.405.110, 19.405.120, 19.405.130, 19.405.140, 19.405.150,
10 19.405.900, 19.405.901, 70A.65.005, 70A.65.010, 70A.65.020,
11 70A.65.030, 70A.65.040, 70A.65.050, 70A.65.060, 70A.65.070,
12 70A.65.080, 70A.65.090, 70A.65.100, 70A.65.110, 70A.65.120,
13 70A.65.130, 70A.65.140, 70A.65.150, 70A.65.160, 70A.65.170,
14 70A.65.180, 70A.65.190, 70A.65.200, 70A.65.210, 70A.65.220,
15 70A.65.230, 70A.65.240, 70A.65.250, 70A.65.260, 70A.65.270,
16 70A.65.280, 70A.65.290, 70A.65.300, 70A.65.900, 70A.65.901,
17 70A.535.005, 70A.535.010, 70A.535.020, 70A.535.030, 70A.535.040,
18 70A.535.050, 70A.535.060, 70A.535.070, 70A.535.080, 70A.535.090,
19 70A.535.100, 70A.535.110, 70A.535.120, 70A.535.130, and 70A.535.140.

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

1 NEW SECTION. **Sec. 1.** The legislature finds that the recent
2 enactment of legislation relating to emissions will create
3 intolerable economic burdens for Washingtonians in the form of
4 increased prices for electricity, natural gas, gasoline, housing, and
5 a variety of other goods and services that people use every day.
6 Therefore, by this act, the legislature intends to remedy these
7 problems, and to reset the policy landscape for better solutions
8 going forward.

9 NEW SECTION. **Sec. 2.** The following acts or parts of acts are
10 each repealed:

11 (1) RCW 19.27A.200 (State energy performance standard—
12 Definitions) and 2019 c 285 s 2;

13 (2) RCW 19.27A.210 (State energy performance standard) and 2021 c
14 65 s 19 & 2019 c 285 s 3;

15 (3) RCW 19.27A.220 (State energy performance standard—Early
16 adoption incentive program—Report to the legislature) and 2021 c 315
17 s 18 & 2019 c 285 s 4;

18 (4) RCW 19.27A.230 (State energy performance standard—Limit on
19 early adoption incentive payments) and 2019 c 285 s 5;

20 (5) RCW 19.27A.240 (State energy performance standard—Early
21 adoption incentive payment administration) and 2019 c 285 s 6;

22 (6) RCW 19.285.010 (Intent) and 2007 c 1 s 1;

23 (7) RCW 19.285.020 (Declaration of policy) and 2007 c 1 s 2;

24 (8) RCW 19.285.030 (Definitions) and 2019 c 288 s 28, 2017 c 315
25 s 1, & 2014 c 45 s 1;

26 (9) RCW 19.285.040 (Energy conservation and renewable energy
27 targets) and 2021 c 315 s 17, 2021 c 79 s 1, 2019 c 288 s 29, 2017 c
28 315 s 2, 2014 c 26 s 1, 2013 c 158 s 2, 2012 c 22 s 3, & 2007 c 1 s
29 4;

30 (10) RCW 19.285.045 (Energy conservation and renewable energy
31 targets—Analysis and advisory opinion) and 2012 c 254 s 1;

32 (11) RCW 19.285.050 (Resource costs) and 2007 c 1 s 5;

33 (12) RCW 19.285.060 (Accountability and enforcement—Energy
34 independence act special account) and 2021 c 79 s 2, 2015 c 225 s 22,
35 & 2007 c 1 s 6;

36 (13) RCW 19.285.070 (Reporting and public disclosure) and 2007 c
37 1 s 7;

1 (14) RCW 19.285.080 (Rule making) and 2017 c 315 s 3 & 2007 c 1 s
2 8;

3 (15) RCW 19.285.900 (Construction—2007 c 1 (Initiative Measure
4 No. 937)) and 2007 c 1 s 9;

5 (16) RCW 19.285.902 (Short title—2007 c 1 (Initiative Measure No.
6 937)) and 2007 c 1 s 11;

7 (17) RCW 19.405.010 (Findings—Intent—2019 c 288) and 2019 c 288
8 s 1;

9 (18) RCW 19.405.020 (Definitions) and 2020 c 20 s 1004 & 2019 c
10 288 s 2;

11 (19) RCW 19.405.030 (Coal-fired resources—Depreciation schedule—
12 Penalties) and 2019 c 288 s 3;

13 (20) RCW 19.405.040 (Greenhouse gas neutrality—Responsibilities
14 for electric utilities—Energy transformation project criteria—
15 Penalties) and 2019 c 288 s 4;

16 (21) RCW 19.405.050 (Clean energy implementation—Hydroelectric
17 facilities—Special contracts) and 2019 c 288 s 5;

18 (22) RCW 19.405.060 (Clean energy implementation plan—Compliance
19 criteria—Incremental cost of compliance) and 2019 c 288 s 6;

20 (23) RCW 19.405.070 (Greenhouse gas content calculation) and 2019
21 c 288 s 7;

22 (24) RCW 19.405.080 (Report to legislature) and 2019 c 288 s 8;

23 (25) RCW 19.405.090 (Compliance, enforcement, and penalties—
24 Alternatives) and 2021 c 65 s 20 & 2019 c 288 s 9;

25 (26) RCW 19.405.100 (Rule making) and 2019 c 288 s 10;

26 (27) RCW 19.405.110 (Relationship to the energy independence act)
27 and 2019 c 288 s 11;

28 (28) RCW 19.405.120 (Energy assistance for low-income households)
29 and 2019 c 288 s 12;

30 (29) RCW 19.405.130 (Stakeholder work group) and 2019 c 288 s 13;

31 (30) RCW 19.405.140 (Department of health—Cumulative impact
32 analysis) and 2019 c 288 s 24;

33 (31) RCW 19.405.150 (Finding—Transmission corridors work group)
34 and 2019 c 288 s 25;

35 (32) RCW 19.405.900 (Short title) and 2019 c 288 s 26;

36 (33) RCW 19.405.901 (Effective date—2019 c 288) and 2019 c 288 s
37 31;

38 (34) RCW 70A.65.005 (Findings—Intent) and 2021 c 316 s 1;

39 (35) RCW 70A.65.010 (Definitions) and 2021 c 316 s 2;

1 (36) RCW 70A.65.020 (Environmental justice review) and 2021 c 316
2 s 3;
3 (37) RCW 70A.65.030 (Environmental justice assessment) and 2021 c
4 316 s 4;
5 (38) RCW 70A.65.040 (Environmental justice council) and 2021 c
6 316 s 5;
7 (39) RCW 70A.65.050 (Governance structure) and 2021 c 316 s 7;
8 (40) RCW 70A.65.060 (Cap on greenhouse gas emissions) and 2021 c
9 316 s 8;
10 (41) RCW 70A.65.070 (Annual allowance budget and timelines) and
11 2021 c 316 s 9;
12 (42) RCW 70A.65.080 (Program coverage) and 2021 c 316 s 10;
13 (43) RCW 70A.65.090 (Requirements) and 2021 c 316 s 11;
14 (44) RCW 70A.65.100 (Auctions of allowances) and 2021 c 316 s 12;
15 (45) RCW 70A.65.110 (Allocation of allowances to emissions-
16 intensive, trade-exposed industries) and 2021 c 316 s 13;
17 (46) RCW 70A.65.120 (Allocation of allowances to electric
18 utilities) and 2021 c 316 s 14;
19 (47) RCW 70A.65.130 (Allocation of allowances to natural gas
20 utilities) and 2021 c 316 s 15;
21 (48) RCW 70A.65.140 (Emissions containment reserve withholding)
22 and 2021 c 316 s 16;
23 (49) RCW 70A.65.150 (Allowance price containment) and 2021 c 316
24 s 17;
25 (50) RCW 70A.65.160 (Price ceiling) and 2021 c 316 s 18;
26 (51) RCW 70A.65.170 (Offsets) and 2021 c 316 s 19;
27 (52) RCW 70A.65.180 (Assistance program for offsets on tribal
28 lands) and 2021 c 316 s 20;
29 (53) RCW 70A.65.190 (Small forestland owner work group) and 2021
30 c 316 s 21;
31 (54) RCW 70A.65.200 (Enforcement—Penalty) and 2021 c 316 s 23;
32 (55) RCW 70A.65.210 (Linkage with other jurisdictions) and 2021 c
33 316 s 24;
34 (56) RCW 70A.65.220 (Adoption of rules) and 2021 c 316 s 25;
35 (57) RCW 70A.65.230 (Investments—Legislative intent—Evaluation)
36 and 2021 c 316 s 26;
37 (58) RCW 70A.65.240 (Carbon emissions reduction account) and 2021
38 c 316 s 27;
39 (59) RCW 70A.65.250 (Climate investment account) and 2021 c 316 s
40 28;

1 (60) RCW 70A.65.260 (Climate commitment account) and 2021 c 316 s
2 29;

3 (61) RCW 70A.65.270 (Natural climate solutions account) and 2021
4 c 316 s 30;

5 (62) RCW 70A.65.280 (Air quality and health disparities
6 improvement account) and 2021 c 316 s 31;

7 (63) RCW 70A.65.290 (Joint legislative audit and review committee
8 —Program implementation analysis) and 2021 c 316 s 32;

9 (64) RCW 70A.65.300 (Distributions of moneys—Annual report) and
10 2021 c 316 s 46;

11 (65) RCW 70A.65.900 (Short title—2021 c 316) and 2021 c 316 s 37;

12 (66) RCW 70A.65.901 (Suspension of certain sections and rules)
13 and 2021 c 316 s 39;

14 (67) RCW 70A.535.005 (Findings—Intent—2021 c 317) and 2021 c 317
15 s 1;

16 (68) RCW 70A.535.010 (Definitions) and 2021 c 317 s 2;

17 (69) RCW 70A.535.020 (Carbon intensity of transportation fuels—
18 Standards to reduce carbon intensity—Adoption of rules) and 2021 c
19 317 s 3;

20 (70) RCW 70A.535.030 (Requirements for rules adopted under RCW
21 70A.535.020) and 2021 c 317 s 4;

22 (71) RCW 70A.535.040 (Rules adopted under RCW 70A.535.020 and
23 70A.535.030—Exemptions for certain transportation fuels) and 2021 c
24 317 s 5;

25 (72) RCW 70A.535.050 (Rules adopted under RCW 70A.535.020 and
26 70A.535.030—Generation of credits) and 2021 c 317 s 6;

27 (73) RCW 70A.535.060 (Adoption of rules—Harmonization with other
28 states—Stakeholder advisory panel—Review of innovative technologies
29 —Report requirements) and 2021 c 317 s 7;

30 (74) RCW 70A.535.070 (Producers or importers must register with
31 the department—Transfer of ownership of transportation fuels—
32 Documentation—Reporting of information—Adoption of rules) and 2021 c
33 317 s 8;

34 (75) RCW 70A.535.080 (Electric utilities—Use of certain revenues
35 —Provision of information to the department) and 2021 c 317 s 9;

36 (76) RCW 70A.535.090 (Reporting requirements—Report to the
37 legislature—Independent analysis) and 2021 c 317 s 10;

38 (77) RCW 70A.535.100 (Fuel supply forecast) and 2021 c 317 s 11;

39 (78) RCW 70A.535.110 (Forecast deferral) and 2021 c 317 s 12;

1 (79) RCW 70A.535.120 (Emergency deferral of compliance with
2 carbon intensity standard) and 2021 c 317 s 13;

3 (80) RCW 70A.535.130 (Fee—Clean fuels program account—Rule
4 making to be conducted as provided in RCW 34.05.328) and 2021 c 317 s
5 14; and

6 (81) RCW 70A.535.140 (Joint legislative audit and review
7 committee analysis) and 2021 c 317 s 15.

8 NEW SECTION. **Sec. 3.** This act may be known and cited as the
9 environmental responsibility act.

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