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**SENATE BILL 5985**

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**State of Washington**

**67th Legislature**

**2022 Regular Session**

**By** Senators Fortunato and McCune

Read first time 03/09/22. Referred to Committee on Environment,  
Energy & Technology.

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10 each repealed: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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