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**HOUSE BILL 2135**

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**State of Washington 67th Legislature 2022 Regular Session**

**By** Representatives Stokesbary, MacEwen, Griffey, Rude, Dufault, Walsh, Shewmake, Jacobsen, Kraft, Hoff, Gilday, Chambers, Robertson, Peterson, Maycumber, Vick, Kretz, Corry, Boehnke, Klippert, Fitzgibbon, Dye, Schmick, Barkis, Caldier, Wicks, Klicker, Steele, Walen, Graham, Ybarra, Leavitt, Paul, and Eslick

AN ACT Relating to directing state agencies and authorities to divest public funds supporting Russia; adding a new section to chapter 43.33A RCW; adding a new chapter to Title 39 RCW; creating a new section; and declaring an emergency.

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

NEW SECTION. **Sec.**  The legislature finds that:

(1) Ukrainians are the largest group of European residents in Washington and that from 2000 to 2019 Washington's Ukrainian population grew 69 percent.

(2) Russia has engaged in an unjustified and unprovoked invasion of the sovereign nation of Ukraine, in violation of international law.

(3) Washington stands firmly in support of Ukraine's sovereignty, independence, and territorial integrity and strongly condemns Russia's military actions against Ukraine.

(4) Preventing Washington's own investment activity, whether directly or indirectly, from giving aid to Russia as it commits these violations of international law and human rights violations against the Ukrainian people is a compelling state interest.

(5) Protecting Washington from financing discrimination against the Ukrainian people is a compelling state interest.

NEW SECTION. **Sec.**  (1) All state agencies, including institutions of higher education, shall review all agency contracts to determine if the agency has any contract with an entity described in subsection (2)(a) and (b) of this section.

(2) Except as provided under subsection (3) of this section and to the extent practicable, all state agencies, including institutions of higher education, shall immediately terminate any existing contract or pending contract, and refrain from entering into any new contracts, with an entity that is determined to be:

(a) Headquartered in Russia or has its principal place of business in Russia; or

(b) Providing assistance to the Russian government in its campaign to invade the sovereign country of Ukraine, either through in-kind support or for-profit support.

(3) A state agency may contract with an entity described under subsection (2)(a) and (b) of this section if the head of the agency makes a determination in writing that the contract is necessary for the agency to perform its functions and that no suitable contractual alternative exists.

NEW SECTION. **Sec.**  A new section is added to chapter 43.33A RCW to read as follows:

(1) The state investment board shall review all investments to determine whether the state has any investment under the board's authority with an entity described in section 2(2) (a) and (b) of this act.

(2) Except as provided under subsection (3) of this section and to the extent practicable, the state investment board shall divest its money and assets from any investment in an entity described in Section 2(2) (a) and (b) of this act.

(3) The state investment board may invest with an entity described in section 2(2) (a) and (b) of this act if the board determines in writing that the investment is necessary for the state to perform its functions and that no suitable investment alternative exists.

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

NEW SECTION. **Sec.**  Section 2 of this act constitutes a new chapter in Title 39 RCW.

NEW SECTION. **Sec.**  This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately.

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