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**HOUSE BILL 2149**

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**State of Washington**

**69th Legislature**

**2026 Regular Session**

**By** Representatives Barkis, Penner, Stokesbary, Leavitt, Schmidt, Klicker, Jacobsen, McEntire, Dent, Graham, and Marshall

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1 AN ACT Relating to emergency replacement of failed infrastructure  
2 on state route number 165; amending RCW 70A.65.260; adding a new  
3 section to chapter 47.20 RCW; and declaring an emergency.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 47.20  
6 RCW to read as follows:

7 (1) The legislature declares the failure of the Fairfax bridge  
8 and its permanent closure on April 22, 2025, created an emergency  
9 that requires immediate attention.

10 (2) The department is directed to restore access via state route  
11 number 165 across the Carbon river as soon as possible.

12 (3) The secretary is granted emergency authority to expedite the  
13 process of planning and construction of the replacement of the  
14 Fairfax bridge on state route number 165 that includes the ability to  
15 waive or suspend statutory obligations or limitations in the  
16 following areas:

17 (a) Liability for participation in interlocal agreements;

18 (b) Inspection fees owed to the department of labor and  
19 industries;

20 (c) Regulations, tariffs, and notice requirements under the  
21 jurisdiction of the utilities and transportation commission;

1 (d) Application of tax due dates and penalties relating to  
2 collection of taxes; and

3 (e) Such other statutory and regulatory obligations or  
4 limitations prescribing the procedures for conduct of state business,  
5 or the orders, rules, or regulations of any state agency if strict  
6 compliance with the provision of any statute, order, rule, or  
7 regulation would in any way prevent, hinder, or delay necessary  
8 action in coping with the emergency, unless (i) the waiver or  
9 suspension would conflict with federal requirements that are a  
10 prescribed condition to the allocation of federal funds to the state,  
11 or (ii) the waiver or suspension would conflict with the rights,  
12 under the First Amendment, of freedom of speech or of the people to  
13 peaceably assemble.

14 (4) The secretary shall give as much notice as practical to the  
15 governor, legislative leadership of the transportation committees,  
16 and impacted local governments when issuing orders under this  
17 section.

18 (5) Activities and projects performed to implement this section  
19 are not subject to any of the provisions of Executive Order 25-07.

20 **Sec. 2.** RCW 70A.65.260 and 2025 c 424 s 974 are each amended to  
21 read as follows:

22 (1) The climate commitment account is created in the state  
23 treasury. The account must receive moneys distributed to the account  
24 from the climate investment account created in RCW 70A.65.250. Moneys  
25 in the account may be spent only after appropriation. Projects,  
26 activities, and programs eligible for funding from the account must  
27 be physically located in Washington state and include, but are not  
28 limited to, the following:

29 (a) Implementing the working families' tax credit in RCW  
30 82.08.0206;

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

38 (c) Programs, activities, or projects that reduce and mitigate  
39 impacts from greenhouse gases and copollutants in overburdened

1 communities, including strengthening the air quality monitoring  
2 network to measure, track, and better understand air pollution levels  
3 and trends and to inform the analysis, monitoring, and pollution  
4 reduction measures required in RCW 70A.65.020;

5 (d) Programs, activities, or projects that deploy renewable  
6 energy resources, such as solar and wind power, and projects to  
7 deploy distributed generation, energy storage, demand-side  
8 technologies and strategies, and other grid modernization projects;

9 (e) Programs, activities, or projects that increase the energy  
10 efficiency or reduce greenhouse gas emissions of industrial  
11 facilities including, but not limited to, proposals to implement  
12 combined heat and power, district energy, or on-site renewables, such  
13 as solar and wind power, to upgrade the energy efficiency of existing  
14 equipment, to reduce process emissions, and to switch to less  
15 emissions intensive fuel sources;

16 (f) Programs, activities, or projects that achieve energy  
17 efficiency or emissions reductions in the agricultural sector  
18 including:

19 (i) Fertilizer management;

20 (ii) Soil management;

21 (iii) Bioenergy;

22 (iv) Biofuels;

23 (v) Grants, rebates, and other financial incentives for  
24 agricultural harvesting equipment, heavy duty trucks, agricultural  
25 pump engines, tractors, and other equipment used in agricultural  
26 operations;

27 (vi) Grants, loans, or any financial incentives to food  
28 processors to implement projects that reduce greenhouse gas  
29 emissions;

30 (vii) Renewable energy projects;

31 (viii) Farmworker housing weatherization programs;

32 (ix) Dairy digester research and development;

33 (x) Alternative manure management; and

34 (xi) Eligible fund uses under RCW 89.08.615;

35 (g) Programs, activities, or projects that increase energy  
36 efficiency in new and existing buildings, or that promote low carbon  
37 architecture, including use of newly emerging alternative building  
38 materials that result in a lower carbon footprint in the built  
39 environment over the life cycle of the building and component  
40 building materials;

1 (h) Programs, activities, or projects that promote the  
2 electrification and decarbonization of new and existing buildings,  
3 including residential, commercial, and industrial buildings;

4 (i) Programs, activities, or projects that improve energy  
5 efficiency, including district energy, and investments in market  
6 transformation of high efficiency electric appliances and equipment  
7 for space and water heating;

8 (j) Clean energy transition and assistance programs, activities,  
9 or projects that assist affected workers or people with lower incomes  
10 during the transition to a clean energy economy, or grow and expand  
11 clean manufacturing capacity in communities across Washington state  
12 including, but not limited to:

13 (i) Programs, activities, or projects that directly improve  
14 energy affordability and reduce the energy burden of people with  
15 lower incomes, as well as the higher transportation fuel burden of  
16 rural residents, such as bill assistance, energy efficiency, and  
17 weatherization programs;

18 (ii) Community renewable energy projects that allow qualifying  
19 participants to own or receive the benefits of those projects at  
20 reduced or no cost;

21 (iii) Programs, activities, or other worker-support projects for  
22 bargaining unit and nonsupervisory fossil fuel workers who are  
23 affected by the transition away from fossil fuels to a clean energy  
24 economy. Worker support may include, but is not limited to: (A) Full  
25 wage replacement, health benefits, and pension contributions for  
26 every worker within five years of retirement; (B) full wage  
27 replacement, health benefits, and pension contributions for every  
28 worker with at least one year of service for each year of service up  
29 to five years of service; (C) wage insurance for up to five years for  
30 workers reemployed who have more than five years of service; (D) up  
31 to two years of retraining costs, including tuition and related  
32 costs, based on in-state community and technical college costs; (E)  
33 peer counseling services during transition; (F) employment placement  
34 services, prioritizing employment in the clean energy sector; and (G)  
35 relocation expenses;

36 (iv) Direct investment in workforce development, via technical  
37 education, community college, institutions of higher education,  
38 apprenticeships, and other programs including, but not limited to:

39 (A) Initiatives to develop a forest health workforce established  
40 under RCW 76.04.521; and

1 (B) Initiatives to develop new education programs, emerging  
2 fields, or jobs pertaining to the clean energy economy;

3 (v) Transportation, municipal service delivery, and technology  
4 investments that increase a community's capacity for clean  
5 manufacturing, with an emphasis on communities in greatest need of  
6 job creation and economic development and potential for commute  
7 reduction;

8 (k) Programs, activities, or projects that reduce emissions from  
9 landfills and waste-to-energy facilities through diversion of organic  
10 materials, methane capture or conversion strategies, installation of  
11 gas collection devices and gas control systems, monitoring and  
12 reporting of methane emissions, or other means, prioritizing funding  
13 needed for any activities by local governments to comply with chapter  
14 70A.540 RCW;

15 (l) Carbon dioxide removal projects, programs, and activities;  
16 and

17 (m) Activities to support efforts to mitigate and adapt to the  
18 effects of climate change affecting Indian tribes, including capital  
19 investments in support of the relocation of Indian tribes located in  
20 areas at heightened risk due to anticipated sea level rise, flooding,  
21 or other disturbances caused by climate change. The legislature  
22 intends to dedicate at least \$50,000,000 per biennium from the  
23 account for purposes of this subsection.

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

30 (3) During the 2023-2025 and 2025-2027 fiscal biennia, the  
31 legislature may appropriate moneys from the climate commitment  
32 account for activities related to environmental justice, including  
33 implementation of chapter 314, Laws of 2021.

34 (4) During the 2025-2027 and 2027-2029 fiscal biennia, the  
35 legislature may provide full funding for the emergency replacement of  
36 infrastructure on state route number 165 caused by failure to  
37 adequately address the impacts of climate.

38 NEW SECTION. Sec. 3. This act is necessary for the immediate  
39 preservation of the public peace, health, or safety, or support of

1 the state government and its existing public institutions, and takes  
2 effect immediately.

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