

WA Supreme Court will decide fate of the natural gas initiative

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At a July 2, 2024, news conference on Initiative 2066, the “Stop the Gas Ban,” at a grocery store in Redmond are, from left: Greg Lane, executive vice president of the Building Industry Association of Washington; Brian Heywood, founder of Let’s Go Washington; Anthony Anton, president and CEO of the Washington Hospitality Association. (Karen Ducey / The Seattle Times)



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By [Amanda Zhou](#)

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[Climate Lab](#) is a Seattle Times initiative that explores the effects of climate change in the Pacific Northwest and beyond. The project is funded in part by The Bullitt Foundation, CO2 Foundation, Jim and Birte Falconer, Mike and Becky Hughes, Henry

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The Washington Supreme Court will issue the final say on a voter initiative passed last November that took aim at Washington's natural gas and energy policies.

In an order Wednesday, Chief Justice Justice Debra Stephens wrote that the high court will hear the case instead of transferring it to the Court of Appeals.

Voters passed [initiative 2066](#) by about 52% last November, but it was struck down by a King County Superior Court judge [in March](#) who ruled it was too broad. Not long after, state Attorney General Nick Brown and the Building Industry Association of Washington [asked the state's Supreme Court](#) to weigh in.

The initiative sought to explicitly protect access to natural gas in Washington and weaken building codes that make it more difficult and costly to add [natural gas heating in new construction](#). It also targeted legislation intended to help Puget Sound Energy, the state's largest utility, [plan its transition away](#) from natural gas.

In March, King County Superior Court Judge Sandra Widlan ruled the initiative was unconstitutionally broad, violated the state's single-subject rule and improperly changed existing laws.

Widlan said in her ruling the state's single-subject rule is intended to protect against "logrolling," or when a law combines several different proposals to garner support, although a voter may not individually approve of all changes.

"A voter may well want to have access to natural gas, but at the same time, want the government to regulate air pollution from natural gas. ... A voter may very well want to have access to natural gas, but at the same time, want building efficiency standards that reduce reliance on fossil fuels," she said in March.

Throughout the initiative process, the Building Industry Association of Washington has maintained the initiative does not violate these rules, among others raised by the King County judge, and that all of the initiative's language centers on protecting "the choice to access and use natural gas."

"Because political extremists at all levels use every avenue available in their quest to ban natural gas, there were many places in state law that needed to be changed to ensure that customers continue to have an energy choice," said BIAW Executive Vice President Greg Lane in a statement.

The Republican-led initiative was supported by the Washington Hospitality Association and political action committee Let's Go Washington. The plaintiffs challenging the

initiative include advocacy groups Climate Solutions, Washington Conservation Action, and Front and Centered, plus King County, the city of Seattle and other parties.

Previously, state Attorney General Brown said while he “personally disagreed with I-2066,” the initiative was passed by Washington voters and it is his job as attorney general to enforce and defend it.

I-2066 was among a [slate of initiatives](#) on the November ballot backed by Republican megadonor [Brian Heywood](#). He also sought to repeal the Climate Commitment Act, kill the state’s capital gains tax and make optional a payroll tax that funds the state’s long-term care insurance program.

The Supreme Court hasn’t yet scheduled a hearing on I-2066.

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