
HOUSE BILL 3043

State of Washington

61st Legislature

2010 Regular Session

By Representatives Pedersen and Rodne

Read first time 01/21/10. Referred to Committee on General Government Appropriations.

1 AN ACT Relating to redirecting funding from the judicial
2 information system account to the access to justice account; amending
3 RCW 2.68.040; reenacting and amending RCW 2.68.020 and 43.84.092; and
4 adding a new section to chapter 2.68 RCW.

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

6 **Sec. 1.** RCW 2.68.020 and 2009 c 564 s 1802 and 2009 c 564 s 918
7 are each reenacted and amended to read as follows:

8 There is created an account in the custody of the state treasurer
9 to be known as the judicial information system account. The
10 administrative office of the courts shall maintain and administer the
11 account, in which shall be deposited all moneys received from in-state
12 noncourt users and any out-of-state users of the judicial information
13 system (~~and moneys as specified in RCW 2.68.040~~) for the purposes of
14 providing judicial information system access to noncourt users and
15 providing an adequate level of automated services to the judiciary.
16 The legislature shall appropriate the funds in the account for the
17 purposes of the judicial information system. The account shall be used
18 for the acquisition of equipment, software, supplies, services, and
19 other costs incidental to the acquisition, development, operation, and

1 administration of information services, telecommunications, systems,
2 software, supplies, and equipment, including the payment of principal
3 and interest on items paid in installments. During the 2007-2009
4 fiscal biennium, the legislature may transfer from the judicial
5 information system account to the state general fund such amounts as
6 reflect the excess fund balance of the account. During the 2009-2011
7 fiscal biennium, the legislature may transfer from the judicial
8 information system account to the state general fund such amounts as
9 reflect the excess fund balance of the account.

10 **Sec. 2.** RCW 2.68.040 and 1994 c 8 s 2 are each amended to read as
11 follows:

12 (1) To support the (~~judicial information system~~) access to
13 justice account provided for in (~~RCW 2.68.020~~) section 3 of this act,
14 the supreme court may provide by rule for an increase in fines,
15 penalties, and assessments, and the increased amount shall be forwarded
16 to the state treasurer for deposit in the account:

17 (a) Pursuant to the authority of RCW 46.63.110(~~(+2)~~) (3), the sum
18 of ten dollars to any penalty collected by a court pursuant to supreme
19 court infraction rules for courts of limited jurisdiction;

20 (b) Pursuant to RCW 3.62.060, a mandatory appearance cost in the
21 initial sum of ten dollars to be assessed on all defendants; and

22 (c) Pursuant to RCW 46.63.110(~~(+5)~~)(6), a ten-dollar assessment
23 for each account for which a person requests a time payment schedule.

24 (2) Notwithstanding a provision of law or rule to the contrary, the
25 assessments provided for in this section may not be waived or suspended
26 and shall be immediately due and payable upon forfeiture, conviction,
27 deferral of prosecution, or request for time payment, as each shall
28 occur.

29 (3) The supreme court is requested to adjust these assessments for
30 inflation.

31 NEW SECTION. **Sec. 3.** A new section is added to chapter 2.68 RCW
32 to read as follows:

33 The access to justice account is created in the state treasury.
34 All receipts from the assessment provided in RCW 2.68.040 must be
35 deposited into the account. Moneys in the account may be spent only

1 after appropriation. Expenditures from the account may be used only to
2 fund the office of public defense and the office of civil legal aid.

3 **Sec. 4.** RCW 43.84.092 and 2009 c 479 s 31, 2009 c 472 s 5, and
4 2009 c 451 s 8 are each reenacted and amended to read as follows:

5 (1) All earnings of investments of surplus balances in the state
6 treasury shall be deposited to the treasury income account, which
7 account is hereby established in the state treasury.

8 (2) The treasury income account shall be utilized to pay or receive
9 funds associated with federal programs as required by the federal cash
10 management improvement act of 1990. The treasury income account is
11 subject in all respects to chapter 43.88 RCW, but no appropriation is
12 required for refunds or allocations of interest earnings required by
13 the cash management improvement act. Refunds of interest to the
14 federal treasury required under the cash management improvement act
15 fall under RCW 43.88.180 and shall not require appropriation. The
16 office of financial management shall determine the amounts due to or
17 from the federal government pursuant to the cash management improvement
18 act. The office of financial management may direct transfers of funds
19 between accounts as deemed necessary to implement the provisions of the
20 cash management improvement act, and this subsection. Refunds or
21 allocations shall occur prior to the distributions of earnings set
22 forth in subsection (4) of this section.

23 (3) Except for the provisions of RCW 43.84.160, the treasury income
24 account may be utilized for the payment of purchased banking services
25 on behalf of treasury funds including, but not limited to, depository,
26 safekeeping, and disbursement functions for the state treasury and
27 affected state agencies. The treasury income account is subject in all
28 respects to chapter 43.88 RCW, but no appropriation is required for
29 payments to financial institutions. Payments shall occur prior to
30 distribution of earnings set forth in subsection (4) of this section.

31 (4) Monthly, the state treasurer shall distribute the earnings
32 credited to the treasury income account. The state treasurer shall
33 credit the general fund with all the earnings credited to the treasury
34 income account except:

35 The following accounts and funds shall receive their proportionate
36 share of earnings based upon each account's and fund's average daily
37 balance for the period: The aeronautics account, the aircraft search

1 and rescue account, the budget stabilization account, the capitol
2 building construction account, the Cedar River channel construction and
3 operation account, the Central Washington University capital projects
4 account, the charitable, educational, penal and reformatory
5 institutions account, the cleanup settlement account, the Columbia
6 river basin water supply development account, the common school
7 construction fund, the county arterial preservation account, the county
8 criminal justice assistance account, the county sales and use tax
9 equalization account, the data processing building construction
10 account, the deferred compensation administrative account, the deferred
11 compensation principal account, the department of licensing services
12 account, the department of retirement systems expense account, the
13 developmental disabilities community trust account, the drinking water
14 assistance account, the drinking water assistance administrative
15 account, the drinking water assistance repayment account, the Eastern
16 Washington University capital projects account, the education
17 construction fund, the education legacy trust account, the election
18 account, the energy freedom account, the energy recovery act account,
19 the access to justice account, the essential rail assistance account,
20 The Evergreen State College capital projects account, the federal
21 forest revolving account, the ferry bond retirement fund, the freight
22 congestion relief account, the freight mobility investment account, the
23 freight mobility multimodal account, the grade crossing protective
24 fund, the public health services account, the health system capacity
25 account, the personal health services account, the high capacity
26 transportation account, the state higher education construction
27 account, the higher education construction account, the highway bond
28 retirement fund, the highway infrastructure account, the highway safety
29 account, the high occupancy toll lanes operations account, the
30 industrial insurance premium refund account, the judges' retirement
31 account, the judicial retirement administrative account, the judicial
32 retirement principal account, the local leasehold excise tax account,
33 the local real estate excise tax account, the local sales and use tax
34 account, the medical aid account, the mobile home park relocation fund,
35 the motor vehicle fund, the motorcycle safety education account, the
36 multimodal transportation account, the municipal criminal justice
37 assistance account, the municipal sales and use tax equalization
38 account, the natural resources deposit account, the oyster reserve land

1 account, the pension funding stabilization account, the perpetual
2 surveillance and maintenance account, the public employees' retirement
3 system plan 1 account, the public employees' retirement system combined
4 plan 2 and plan 3 account, the public facilities construction loan
5 revolving account beginning July 1, 2004, the public health
6 supplemental account, the public transportation systems account, the
7 public works assistance account, the Puget Sound capital construction
8 account, the Puget Sound ferry operations account, the Puyallup tribal
9 settlement account, the real estate appraiser commission account, the
10 recreational vehicle account, the regional mobility grant program
11 account, the resource management cost account, the rural arterial trust
12 account, the rural Washington loan fund, the site closure account, the
13 small city pavement and sidewalk account, the special category C
14 account, the special wildlife account, the state employees' insurance
15 account, the state employees' insurance reserve account, the state
16 investment board expense account, the state investment board commingled
17 trust fund accounts, the state patrol highway account, the state route
18 number 520 corridor account, the supplemental pension account, the
19 Tacoma Narrows toll bridge account, the teachers' retirement system
20 plan 1 account, the teachers' retirement system combined plan 2 and
21 plan 3 account, the tobacco prevention and control account, the tobacco
22 settlement account, the transportation 2003 account (nickel account),
23 the transportation equipment fund, the transportation fund, the
24 transportation improvement account, the transportation improvement
25 board bond retirement account, the transportation infrastructure
26 account, the transportation partnership account, the traumatic brain
27 injury account, the tuition recovery trust fund, the University of
28 Washington bond retirement fund, the University of Washington building
29 account, the urban arterial trust account, the volunteer firefighters'
30 and reserve officers' relief and pension principal fund, the volunteer
31 firefighters' and reserve officers' administrative fund, the Washington
32 fruit express account, the Washington judicial retirement system
33 account, the Washington law enforcement officers' and firefighters'
34 system plan 1 retirement account, the Washington law enforcement
35 officers' and firefighters' system plan 2 retirement account, the
36 Washington public safety employees' plan 2 retirement account, the
37 Washington school employees' retirement system combined plan 2 and 3
38 account, the Washington state health insurance pool account, the

1 Washington state patrol retirement account, the Washington State
2 University building account, the Washington State University bond
3 retirement fund, the water pollution control revolving fund, and the
4 Western Washington University capital projects account. Earnings
5 derived from investing balances of the agricultural permanent fund, the
6 normal school permanent fund, the permanent common school fund, the
7 scientific permanent fund, and the state university permanent fund
8 shall be allocated to their respective beneficiary accounts. All
9 earnings to be distributed under this subsection (4) shall first be
10 reduced by the allocation to the state treasurer's service fund
11 pursuant to RCW 43.08.190.

12 (5) In conformance with Article II, section 37 of the state
13 Constitution, no treasury accounts or funds shall be allocated earnings
14 without the specific affirmative directive of this section.

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