
SENATE BILL 5092

State of Washington

65th Legislature

2017 Regular Session

By Senator Wilson

Read first time 01/12/17. Referred to Committee on Ways & Means.

1 AN ACT Relating to designating the revenue from the sales and use
2 tax on feminine hygiene products to the women helping women grant
3 program; reenacting and amending RCW 43.84.092; adding a new section
4 to chapter 82.32 RCW; adding new sections to chapter 43.31 RCW;
5 creating new sections; providing an effective date; and declaring an
6 emergency.

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

8 NEW SECTION. **Sec. 1.** This act may be known and cited as the
9 women helping women act.

10 NEW SECTION. **Sec. 2.** The legislature finds that feminine
11 hygiene products are a medical necessity for most females in the
12 state, and that the taxes women pay for feminine hygiene products
13 should be directed to programs directly helping women. Therefore, the
14 legislature intends to direct the sales and use tax for feminine
15 hygiene products to women helping women grants to support services to
16 victims of domestic violence, dating violence, sexual assault and
17 stalking, and the children of victims.

18 NEW SECTION. **Sec. 3.** A new section is added to chapter 82.32
19 RCW to read as follows:

1 (1) By the last workday of the second calendar quarter, the state
2 treasurer must transfer the amount specified in subsection (2) of
3 this section from the general fund to the women helping women account
4 created in section 5 of this act. The first transfer under this
5 subsection (1) must occur by June 30, 2017.

6 (2) By June 15th of each year, the department must estimate the
7 amount of state retail sales and use tax that the general fund would
8 lose if a sales and use tax exemption for feminine hygiene products
9 was enacted and notify the state treasurer of the estimated amount.

10 (3) For the purposes of this section, "feminine hygiene products"
11 means sanitary napkins, tampons, menstrual cups, or any other similar
12 product sold at retail designed specifically to catch menstrual flow
13 either internally or externally.

14 NEW SECTION. **Sec. 4.** A new section is added to chapter 43.31
15 RCW to read as follows:

16 (1) There is established a women helping women grant program
17 within the department of commerce. The program must enhance the
18 capacity of local communities to develop and strengthen effective law
19 enforcement and prosecution strategies to reduce violent crimes
20 against women and to develop and strengthen victim services in cases
21 involving violent crimes against women.

22 (2) Each fiscal year, all funds in the women helping women
23 account created in section 5 of this act must be distributed on a pro
24 rata basis to each county in the state of Washington based upon the
25 population of the county as a percentage of the total population of
26 all Washington state counties. Funds in the women helping women
27 account must be distributed to each county as follows:

28 (a) Fifty percent of the funds must be distributed to local law
29 enforcement agencies; and

30 (b) Fifty percent of the funds must be distributed to local
31 prosecutors.

32 (3) All funds distributed from the women helping women account
33 must be used to provide training, technical assistance, data
34 collection, and other resources for the apprehension, prosecution,
35 and adjudication of persons committing violent crimes against women,
36 and for the protection and safety of victims.

37 NEW SECTION. **Sec. 5.** A new section is added to chapter 43.31
38 RCW to read as follows:

1 The women helping women account is created in the custody of the
2 state treasurer. All receipts from transfers under section 3(1) of
3 this act must be deposited into the account. Expenditures from the
4 account may be used only for the women helping women grant program
5 established under section 4 of this act. Only the director of the
6 department of commerce or the director's designee may authorize
7 expenditures from the account. The account is subject to allotment
8 procedures under chapter 43.88 RCW, but an appropriation is not
9 required for expenditures.

10 **Sec. 6.** RCW 43.84.092 and 2016 c 194 s 5, 2016 c 161 s 20, and
11 2016 c 112 s 4 are each reenacted and amended to read as follows:

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

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

31 (3) Except for the provisions of RCW 43.84.160, the treasury
32 income account may be utilized for the payment of purchased banking
33 services on behalf of treasury funds including, but not limited to,
34 depository, safekeeping, and disbursement functions for the state
35 treasury and affected state agencies. The treasury income account is
36 subject in all respects to chapter 43.88 RCW, but no appropriation is
37 required for payments to financial institutions. Payments shall occur
38 prior to distribution of earnings set forth in subsection (4) of this
39 section.

1 (4) Monthly, the state treasurer shall distribute the earnings
2 credited to the treasury income account. The state treasurer shall
3 credit the general fund with all the earnings credited to the
4 treasury income account except:

5 (a) The following accounts and funds shall receive their
6 proportionate share of earnings based upon each account's and fund's
7 average daily balance for the period: The aeronautics account, the
8 aircraft search and rescue account, the Alaskan Way viaduct
9 replacement project account, the brownfield redevelopment trust fund
10 account, the budget stabilization account, the capital vessel
11 replacement account, the capitol building construction account, the
12 Cedar River channel construction and operation account, the Central
13 Washington University capital projects account, the charitable,
14 educational, penal and reformatory institutions account, the Chehalis
15 basin account, the cleanup settlement account, the Columbia river
16 basin water supply development account, the Columbia river basin
17 taxable bond water supply development account, the Columbia river
18 basin water supply revenue recovery account, the common school
19 construction fund, the community forest trust account, the connecting
20 Washington account, the county arterial preservation account, the
21 county criminal justice assistance account, the deferred compensation
22 administrative account, the deferred compensation principal account,
23 the department of licensing services account, the department of
24 retirement systems expense account, the developmental disabilities
25 community trust account, the diesel idle reduction account, the
26 drinking water assistance account, (~~the drinking water assistance
27 administrative account, the drinking water assistance repayment
28 account,~~) the Eastern Washington University capital projects
29 account, the Interstate 405 express toll lanes operations account,
30 the education construction fund, the education legacy trust account,
31 the election account, the electric vehicle charging infrastructure
32 account, the energy freedom account, the energy recovery act account,
33 the essential rail assistance account, The Evergreen State College
34 capital projects account, the federal forest revolving account, the
35 ferry bond retirement fund, the freight mobility investment account,
36 the freight mobility multimodal account, the grade crossing
37 protective fund, the public health services account, the high
38 capacity transportation account, the state higher education
39 construction account, the higher education construction account, the
40 highway bond retirement fund, the highway infrastructure account, the

1 highway safety fund, the high occupancy toll lanes operations
2 account, the hospital safety net assessment fund, the industrial
3 insurance premium refund account, the judges' retirement account, the
4 judicial retirement administrative account, the judicial retirement
5 principal account, the local leasehold excise tax account, the local
6 real estate excise tax account, the local sales and use tax account,
7 the marine resources stewardship trust account, the medical aid
8 account, the mobile home park relocation fund, the money-purchase
9 retirement savings administrative account, the money-purchase
10 retirement savings principal account, the motor vehicle fund, the
11 motorcycle safety education account, the multimodal transportation
12 account, the multiuse roadway safety account, the municipal criminal
13 justice assistance account, the natural resources deposit account,
14 the oyster reserve land account, the pension funding stabilization
15 account, the perpetual surveillance and maintenance account, the
16 pollution liability insurance agency underground storage tank
17 revolving account, the public employees' retirement system plan 1
18 account, the public employees' retirement system combined plan 2 and
19 plan 3 account, the public facilities construction loan revolving
20 account beginning July 1, 2004, the public health supplemental
21 account, the public works assistance account, the Puget Sound capital
22 construction account, the Puget Sound ferry operations account, the
23 Puget Sound taxpayer accountability account, the real estate
24 appraiser commission account, the recreational vehicle account, the
25 regional mobility grant program account, the resource management cost
26 account, the rural arterial trust account, the rural mobility grant
27 program account, the rural Washington loan fund, the site closure
28 account, the skilled nursing facility safety net trust fund, the
29 small city pavement and sidewalk account, the special category C
30 account, the special wildlife account, the state employees' insurance
31 account, the state employees' insurance reserve account, the state
32 investment board expense account, the state investment board
33 commingled trust fund accounts, the state patrol highway account, the
34 state route number 520 civil penalties account, the state route
35 number 520 corridor account, the state wildlife account, the
36 supplemental pension account, the Tacoma Narrows toll bridge account,
37 the teachers' retirement system plan 1 account, the teachers'
38 retirement system combined plan 2 and plan 3 account, the tobacco
39 prevention and control account, the tobacco settlement account, the
40 toll facility bond retirement account, the transportation 2003

1 account (nickel account), the transportation equipment fund, the
2 transportation fund, the transportation future funding program
3 account, the transportation improvement account, the transportation
4 improvement board bond retirement account, the transportation
5 infrastructure account, the transportation partnership account, the
6 traumatic brain injury account, the tuition recovery trust fund, the
7 University of Washington bond retirement fund, the University of
8 Washington building account, the volunteer firefighters' and reserve
9 officers' relief and pension principal fund, the volunteer
10 firefighters' and reserve officers' administrative fund, the
11 Washington judicial retirement system account, the Washington law
12 enforcement officers' and firefighters' system plan 1 retirement
13 account, the Washington law enforcement officers' and firefighters'
14 system plan 2 retirement account, the Washington public safety
15 employees' plan 2 retirement account, the Washington school
16 employees' retirement system combined plan 2 and 3 account, the
17 Washington state health insurance pool account, the Washington state
18 patrol retirement account, the Washington State University building
19 account, the Washington State University bond retirement fund, the
20 water pollution control revolving administration account, the water
21 pollution control revolving fund, the Western Washington University
22 capital projects account, the women helping women account, the Yakima
23 integrated plan implementation account, the Yakima integrated plan
24 implementation revenue recovery account, and the Yakima integrated
25 plan implementation taxable bond account. Earnings derived from
26 investing balances of the agricultural permanent fund, the normal
27 school permanent fund, the permanent common school fund, the
28 scientific permanent fund, the state university permanent fund, and
29 the state reclamation revolving account shall be allocated to their
30 respective beneficiary accounts.

31 (b) Any state agency that has independent authority over accounts
32 or funds not statutorily required to be held in the state treasury
33 that deposits funds into a fund or account in the state treasury
34 pursuant to an agreement with the office of the state treasurer shall
35 receive its proportionate share of earnings based upon each account's
36 or fund's average daily balance for the period.

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

1 NEW SECTION. **Sec. 7.** This act is necessary for the immediate
2 preservation of the public peace, health, or safety, or support of
3 the state government and its existing public institutions, and takes
4 effect July 1, 2017.

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