
ENGROSSED SUBSTITUTE SENATE BILL 6534

State of Washington

66th Legislature

2020 Regular Session

By Senate Health & Long Term Care (originally sponsored by Senator Cleveland)

READ FIRST TIME 02/03/20.

1 AN ACT Relating to an ambulance transport quality assurance fee;
2 reenacting and amending RCW 43.84.092; adding a new chapter to Title
3 74 RCW; prescribing penalties; providing an expiration date; and
4 declaring an emergency.

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

6 NEW SECTION. **Sec. 1.** (1) The purpose of this chapter is to
7 provide for a quality assurance fee for specified providers of
8 emergency ambulance services as referenced in 42 C.F.R. Sec. 433.56,
9 which will be used to add on to base funding from all other sources,
10 thereby supporting additional medicaid payments to nonpublic and
11 nonfederal providers of emergency ambulance services as specified in
12 this chapter.

13 (2) The legislature finds that the payments to private emergency
14 ambulance service providers for transports for medicaid recipients
15 have not been increased since 2004, resulting in a loss for carriers
16 who provide this service. This has resulted in the shifting of cost
17 of medicaid transports to other payers.

18 (3) In adopting this chapter, it is the intent of the
19 legislature:

20 (a) To impose an ambulance quality assurance fee to be used
21 solely for the purposes specified in this chapter;

1 (b) To generate approximately twenty-two million dollars per
2 state fiscal biennium in new state and federal funds by disbursing
3 all of that amount to pay for medicaid emergency ambulance services,
4 except costs of administration as specified in this chapter, in the
5 form of additional payments to ambulance transport providers subject
6 to the fee, which may not be a substitute for payments from other
7 sources;

8 (c) Beginning July 1, 2021, to generate an amount equal to one-
9 third of the annual quality assurance fee rate collection amount
10 exclusive of any federal matching funds, to be used in lieu of state
11 general fund payments for medicaid emergency ambulance services;

12 (d) That the total amount assessed not exceed the amount needed,
13 in combination with all other available funds, to support the
14 payments authorized by this chapter; and

15 (e) To condition the assessment on receiving federal approval for
16 receipt of additional federal financial participation and on
17 continuation of other funding sufficient to maintain aggregate
18 payment levels to ambulance transport providers subject to the fee
19 for emergency ambulance services covered by medicaid at least at the
20 rates the state paid for those services on July 1, 2020, as adjusted
21 for current enrollment and utilization.

22 NEW SECTION. **Sec. 2.** The definitions in this section apply
23 throughout this chapter unless the context clearly requires
24 otherwise.

25 (1) "Ambulance transport provider subject to the fee" means an
26 ambulance transport provider that is licensed under RCW 18.73.130
27 that bills and receives patient care revenue from the provision of
28 ambulance transports. "Ambulance transport provider subject to the
29 fee" does not include a provider that is owned or operated by the
30 state, cities, counties, fire protection districts, regional fire
31 protection service authorities, port districts, public hospital
32 districts, community services districts, health care districts,
33 federally recognized Indian tribes, or any unit of government as
34 defined in 42 C.F.R. Sec. 433.50.

35 (2) "Annual quality assurance fee rate" means the quality
36 assurance fee per emergency ambulance transport during each
37 applicable state fiscal year assessed on each ambulance transport
38 provider subject to the fee.

39 (3) "Authority" means the Washington state health care authority.

1 (4) "Available fee amount" means the sum of the following:

2 (a) The amount deposited in the ambulance transport fund
3 established under section 3 of this act during the applicable state
4 fiscal year, less the amounts described in section 3(3)(a) of this
5 act; and

6 (b) Any federal financial participation obtained as a result of
7 the deposit of the amount described in this subsection, for the
8 applicable state fiscal year.

9 (5) "Effective state medical assistance percentage" means a ratio
10 of the aggregate expenditures from state-only sources for medicaid
11 divided by the aggregate expenditures from state and federal sources
12 for medicaid for a state fiscal year.

13 (6) "Emergency ambulance transport" means the act of transporting
14 an individual by use of an ambulance during which a client receives
15 needed emergency medical services en route to an appropriate medical
16 facility. "Emergency ambulance transport" does not include
17 transportation of beneficiaries by passenger cars, taxicabs, litter
18 vans, wheelchair vans, or other forms of public or private
19 conveyances, nor does it include transportation by an air ambulance
20 provider. An "emergency ambulance transport" does not occur when,
21 following evaluation of a patient, a transport is not provided.

22 (7) "Fee-for-service payment schedule" means the payment rates to
23 ambulance transport providers for emergency ambulance transports by
24 the authority without the inclusion of the add-on described in
25 section 6 of this act.

26 (8) "Gross receipts" means the total amount of payments received
27 as patient care revenue for emergency ambulance transports,
28 determined on a cash basis of accounting. "Gross receipts" includes
29 all payments received as patient care revenue for emergency ambulance
30 transports from medicaid, medicare, commercial insurance, and all
31 other payers as payment for services rendered.

32 (9) "Medicaid" means the medical assistance program and the state
33 children's health insurance program as established in Title XIX and
34 Title XXI of the social security act, respectively, and as
35 administered in the state of Washington by the authority.

36 (10) "Program" means the ambulance quality assurance fee program
37 established in this chapter.

38 NEW SECTION. **Sec. 3.** (1) A dedicated fund is hereby established
39 within the state treasury to be known as the ambulance transport

1 fund. The purpose and use of the fund shall be to receive and
2 disburse funds, together with accrued interest, in accordance with
3 this chapter. Moneys in the fund, including interest earned, shall
4 not be used or disbursed for any purposes other than those specified
5 in this chapter. Any amounts expended from the fund that are later
6 recouped by the authority on audit or otherwise shall be returned to
7 the fund. Moneys in the account may be spent only after
8 appropriation.

9 (2) The quality assurance fees collected by the authority
10 pursuant to section 5 of this act must be deposited in the ambulance
11 transport fund.

12 (3) Disbursements from the fund may be made only:

13 (a) To pay for the authority's staffing and administrative costs
14 directly attributable to administering this chapter, not to exceed
15 five percent of the annual quality assurance fee rate collection
16 amount, exclusive of any federal matching funds;

17 (b) To make increased payments to ambulance transport providers
18 subject to the fee pursuant to section 6 of this act;

19 (c) To refund erroneous or excessive payments made by hospitals
20 pursuant to this chapter; and

21 (d) Beginning July 1, 2021, for an amount equal to one-third of
22 the annual quality assurance fee rate collection amount exclusive of
23 any federal matching funds, to be used in lieu of state general fund
24 payments for medicaid emergency ambulance services, provided that if
25 the full amount of the payments required under section 6 of this
26 act cannot be distributed in a given fiscal year, this amount must be
27 reduced proportionately.

28 NEW SECTION. **Sec. 4.** (1) Each ambulance transport provider
29 subject to the fee must report to the authority the number of
30 emergency ambulance transports by payer type and the annual gross
31 receipts for the state fiscal year ending June 30, 2020, pursuant to
32 form and timing required by the authority. The authority shall
33 establish the timing for such reporting to occur on or after August
34 15, 2020.

35 (2) Each ambulance transport provider subject to the fee must
36 report to the authority the number of emergency ambulance transports
37 by payer type for each state fiscal quarter commencing with the state
38 fiscal quarter ending September 30, 2020, pursuant to form and timing
39 required by the authority. The authority shall establish the timing

1 for such reporting to occur on or after the forty-fifth day after the
2 end of each applicable state fiscal quarter.

3 (3) Each ambulance transport provider subject to the fee must
4 report to the authority the annual gross receipts for each state
5 fiscal year commencing with the state fiscal year ending June 30,
6 2021, pursuant to form and timing required by the authority. The
7 authority shall establish the timing for such reporting to occur on
8 or after the forty-fifth day after the end of each applicable state
9 fiscal year.

10 (4) The authority may require a certification by each ambulance
11 transport provider subject to the fee under penalty of perjury of the
12 truth of the reports required under this section. Upon written notice
13 to an ambulance transport provider, the authority may impose a civil
14 penalty of one hundred dollars per day against an ambulance transport
15 provider for every day that an ambulance transport provider fails to
16 make a report required by this section within five days of the date
17 upon which the report was due. Any funds resulting from a penalty
18 imposed pursuant to this subsection shall be deposited in the
19 ambulance transport fund established in section 3 of this act.

20 NEW SECTION. **Sec. 5.** (1) Beginning July 1, 2021, and annually
21 thereafter, the authority shall assess each ambulance transport
22 provider subject to the fee, a quality assurance fee. Each ambulance
23 transport provider subject to the fee must pay the quality assurance
24 fee on a quarterly basis. The quarterly quality assurance fee payment
25 shall be based on the annual quality assurance fee rate for the
26 applicable state fiscal year multiplied by the number of emergency
27 ambulance transports provided by the ambulance transport provider
28 subject to the fee in the second quarter preceding the state fiscal
29 quarter for which the fee is assessed.

30 (2) Beginning July 1, 2021, the annual quality assurance fee rate
31 shall be calculated by multiplying the projected total annual gross
32 receipts for all ambulance transport providers subject to the fee by
33 five and one-half percent, which resulting product shall be divided
34 by the projected total annual emergency ambulance transports by all
35 ambulance transport providers subject to the fee for the state fiscal
36 year.

37 (3) For each state fiscal year for which the quality assurance
38 fee is assessed, the authority shall send each ambulance transport
39 provider subject to the fee an assessment notice no later than thirty

1 days prior to the beginning of the applicable state fiscal quarter.
2 For each state fiscal quarter for which the quality assurance fee is
3 assessed, the authority shall send to each ambulance transport
4 provider subject to the fee an invoice of the quarterly quality
5 assurance fee payment due for the quarter no later than thirty days
6 before the payment is due. For each state fiscal quarter for which
7 the quality assurance fee is assessed, the ambulance transport
8 provider subject to the fee shall remit payment to the authority by
9 the date established by the authority, which shall be no earlier than
10 fifteen days after the beginning of the applicable state fiscal
11 quarter.

12 (4) (a) Interest shall be assessed on quality assurance fees not
13 paid on the date due at the rate and in the manner provided in RCW
14 43.20B.695. Interest shall be deposited in the ambulance transport
15 fund established in section 3 of this act.

16 (b) In the event that any fee payment is more than sixty days
17 overdue, the authority may deduct the unpaid fee and interest owed
18 from any medicaid reimbursement payments owed to the ambulance
19 transport provider until the full amount of the fee, interest, and
20 any penalties assessed under this chapter are recovered. Any
21 deduction made pursuant to this subsection shall be made only after
22 the authority gives the ambulance transport provider written
23 notification. Any deduction made pursuant to this subsection may be
24 deducted over a period of time that takes into account the financial
25 condition of the ambulance transport provider.

26 (c) In the event that any fee payment is more than sixty days
27 overdue, a penalty equal to the interest charge described in (a) of
28 this subsection shall be assessed and due for each month for which
29 the payment is not received after sixty days. Any funds resulting
30 from a penalty imposed pursuant to this subsection shall be deposited
31 into the ambulance transport fund established in section 3 of this
32 act.

33 (d) The authority may waive a portion or all of either the
34 interest or penalties, or both, assessed under this chapter in the
35 event the authority determines, in its sole discretion, that the
36 ambulance transport provider has demonstrated that imposition of the
37 full amount of the quality assurance fee pursuant to the timelines
38 applicable under this chapter has a high likelihood of creating an
39 undue financial hardship for the provider. Waiver of some or all of
40 the interest or penalties pursuant to this subsection shall be

1 conditioned on the ambulance transport provider's agreement to make
2 fee payments on an alternative schedule developed by the authority.

3 (5) The authority shall accept an ambulance transport provider's
4 payment even if the payment is submitted in a rate year subsequent to
5 the rate year in which the fee was assessed.

6 (6) In the event of a merger, acquisition, or similar transaction
7 involving an ambulance transport provider that has outstanding
8 quality assurance fee payment obligations pursuant to this chapter,
9 including any interest and penalty amounts owed, the resultant or
10 successor ambulance transport provider shall be responsible for
11 paying to the authority the full amount of outstanding quality
12 assurance fee payments, including any applicable interest and
13 penalties, attributable to the ambulance transport provider for which
14 it was assessed, upon the effective date of such transaction. An
15 entity considering a merger, acquisition, or similar transaction
16 involving an ambulance transport provider may submit a request to the
17 authority to ascertain the outstanding quality assurance fee payment
18 obligations of the ambulance transport provider pursuant to this
19 chapter as of the date of the authority's response to that request.

20 NEW SECTION. **Sec. 6.** (1) Beginning July 1, 2021, and for each
21 state fiscal year thereafter, reimbursement for emergency ambulance
22 transports provided by ambulance transport providers subject to the
23 fee shall be increased by application of an add-on to the associated
24 medicaid fee-for-service payment schedule. The add-on increase to the
25 fee-for-service payment schedule shall result in a total
26 reimbursement per emergency ambulance transport that is at least
27 sixty percent of the statewide average medicare rate for an emergency
28 ambulance transport or similar service.

29 (2) The increased payments required by this section shall be
30 funded solely from the following:

31 (a) The quality assurance fee set forth in section 5 of this act,
32 along with any interest or other investment income earned on those
33 funds; and

34 (b) Federal reimbursement and any other related federal funds.

35 (3) The proceeds of the quality assurance fee set forth in
36 section 5 of this act, the matching amount provided by the federal
37 government, and any interest earned on those proceeds shall be used
38 to supplement, and not to supplant, existing funding for emergency

1 ambulance transports provided by ambulance transport providers
2 subject to the fee.

3 (4) Notwithstanding any provision of this chapter, the authority
4 may seek federal approval to implement any add-on increase to the
5 fee-for-service payment schedule pursuant to this section for any
6 state fiscal year or years, as applicable, on a time-limited basis
7 for a fixed program period, as determined by the authority.

8 NEW SECTION. **Sec. 7.** The authority may adopt rules to implement
9 this chapter.

10 NEW SECTION. **Sec. 8.** (1)(a) The authority shall request any
11 approval from the federal centers for medicare and medicaid services
12 it determines are necessary for the use of fees pursuant to this
13 chapter and for the purpose of receiving associated federal matching
14 funds.

15 (b) This chapter shall be implemented only to the extent that any
16 necessary federal approvals are obtained and federal financial
17 participation is available. The quality assurance fee pursuant to
18 section 5 of this act shall only be assessed and collected for
19 quarters in which the add-on pursuant to section 6 of this act is
20 paid.

21 (2) The authority may modify or make adjustments to any
22 methodology, fee amount, or other provision specified in this chapter
23 to the extent necessary to meet the requirements of federal law or
24 regulations or to obtain federal approval.

25 NEW SECTION. **Sec. 9.** If there is a delay in the implementation
26 of this chapter for any reason, including a delay in any required
27 approval of the quality assurance fee and reimbursement methodology
28 specified by the federal centers for medicare and medicaid services,
29 the following shall apply:

30 (1) An ambulance transport provider subject to the fee may be
31 assessed the amount the provider would be required to pay to the
32 authority if the add-on increase to the fee-for-service payment
33 schedule described in section 6 of this act were already approved,
34 but shall not be required to pay the fee until the add-on increase to
35 the fee-for-service payment schedule described in section 6 of this
36 act is approved. The authority shall establish a schedule for payment
37 of retroactive fees pursuant to this subsection in consultation with

1 ambulance transport providers subject to the fee to minimize the
2 disruption to the cash flow of ambulance transport providers subject
3 to the fee.

4 (2) The authority may retroactively implement the add-on increase
5 to the fee-for-service payment schedule pursuant to section 6 of this
6 act to the extent the authority determines that federal financial
7 participation is available.

8 NEW SECTION. **Sec. 10.** (1) The assessment, collection, and
9 disbursement of funds under this chapter shall be conditional upon:

10 (a) The federal centers for medicare and medicaid services not
11 determining that the quality assurance fee revenues may not be used
12 for the purposes set forth in this chapter;

13 (b) The state not reducing its fee-for-service payment schedule
14 for emergency ambulance transports provided by ambulance transport
15 providers subject to the fee;

16 (c) The state not delegating responsibility to pay for emergency
17 ambulance transports to a managed care organization, prepaid
18 inpatient health plan, or prepaid ambulatory health plan, as those
19 terms are defined in 42 C.F.R. Sec. 438.2;

20 (d) Federal financial participation being available and not
21 otherwise jeopardized; and

22 (e) The program not prohibiting, diminishing, or harming the
23 ground emergency medical transportation services reimbursement
24 program described in RCW 41.05.730.

25 (2) This chapter ceases to be operative on the first day of the
26 state fiscal year beginning on or after the date one or more of the
27 following conditions is satisfied:

28 (a) The federal centers for medicare and medicaid services no
29 longer allows the collection or use of the ambulance transport
30 provider assessment provided in this chapter;

31 (b) The increase to the medicaid payments described in section 6
32 of this act no longer remains in effect;

33 (c) The quality assurance fee assessed and collected pursuant to
34 this chapter is no longer available for the purposes specified in
35 this chapter;

36 (d) A final judicial determination made by any state or federal
37 court that is not appealed, or by a court of appellate jurisdiction
38 that is not further appealed, in any action by any party, or a final
39 determination by the administrator of the federal centers for

1 medicare and medicaid services that is not appealed, that federal
2 financial participation is not available with respect to any payment
3 made under the methodology implemented pursuant to this chapter;

4 (e) The state reduces its fee-for-service payment schedule for
5 emergency ambulance transports provided by ambulance transport
6 providers subject to the fee;

7 (f) The state delegates responsibility to pay for emergency
8 ambulance transports to a managed care organization, prepaid
9 inpatient health plan, or prepaid ambulatory health plan, as those
10 terms are defined in 42 C.F.R. Sec. 438.2; and

11 (g) The program prohibiting, diminishing, or harming the ground
12 emergency medical transportation services reimbursement program
13 described in RCW 41.05.730.

14 (3) In the event one or more of the conditions listed in
15 subsection (2) of this section is satisfied, the authority shall
16 notify, in writing and as soon as practicable, the secretary of
17 state, the secretary of the senate, the chief clerk of the house of
18 representatives, the appropriate fiscal and policy committees of the
19 legislature, and the code reviser's office of the condition and the
20 approximate date or dates that it occurred. The authority shall post
21 the notice on the authority's web site.

22 (4) (a) Notwithstanding any other law, in the event this chapter
23 becomes inoperative pursuant to subsection (2) of this section, the
24 authority shall be authorized to conduct all appropriate close-out
25 activities and implement applicable provisions of this chapter for
26 prior state fiscal years during which this chapter was operative
27 including, but not limited to, the collection of outstanding quality
28 assurance fees pursuant to section 5 of this act and payments
29 associated with any add-on increase to the medicaid fee-for-service
30 payment schedule pursuant to section 6 of this act. During this
31 close-out period, the full amount of the quality assurance fee
32 assessed and collected remains available only for the purposes
33 specified in this chapter.

34 (b) Upon a determination by the authority that all appropriate
35 close-out and implementation activities pursuant to (a) of this
36 subsection have been completed, the authority shall notify, in
37 writing, the secretary of state, the secretary of the senate, the
38 chief clerk of the house of representatives, the appropriate fiscal
39 and policy committees of the legislature, and the code reviser's
40 office of that determination. This chapter shall expire as of the

1 effective date of the notification issued by the authority pursuant
2 to this subsection.

3 **Sec. 11.** RCW 43.84.092 and 2019 c 421 s 15, 2019 c 403 s 14,
4 2019 c 365 s 19, 2019 c 287 s 19, and 2019 c 95 s 6 are each
5 reenacted and amended to read as follows:

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

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

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

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

38 (a) The following accounts and funds shall receive their
39 proportionate share of earnings based upon each account's and fund's

1 average daily balance for the period: The abandoned recreational
2 vehicle disposal account, the aeronautics account, the aircraft
3 search and rescue account, the Alaskan Way viaduct replacement
4 project account, the ambulance transport fund, the brownfield
5 redevelopment trust fund account, the budget stabilization account,
6 the capital vessel replacement account, the capitol building
7 construction account, the Cedar River channel construction and
8 operation account, the Central Washington University capital projects
9 account, the charitable, educational, penal and reformatory
10 institutions account, the Chehalis basin account, the cleanup
11 settlement account, the Columbia river basin water supply development
12 account, the Columbia river basin taxable bond water supply
13 development account, the Columbia river basin water supply revenue
14 recovery account, the common school construction fund, the community
15 forest trust account, the connecting Washington account, the county
16 arterial preservation account, the county criminal justice assistance
17 account, the deferred compensation administrative account, the
18 deferred compensation principal account, the department of licensing
19 services account, the department of licensing tuition recovery trust
20 fund, the department of retirement systems expense account, the
21 developmental disabilities community trust account, the diesel idle
22 reduction account, the drinking water assistance account, the
23 drinking water assistance administrative account, the early learning
24 facilities development account, the early learning facilities
25 revolving account, the Eastern Washington University capital projects
26 account, the education construction fund, the education legacy trust
27 account, the election account, the electric vehicle account, the
28 energy freedom account, the energy recovery act account, the
29 essential rail assistance account, The Evergreen State College
30 capital projects account, the federal forest revolving account, the
31 ferry bond retirement fund, the freight mobility investment account,
32 the freight mobility multimodal account, the grade crossing
33 protective fund, the public health services account, the state higher
34 education construction account, the higher education construction
35 account, the highway bond retirement fund, the highway infrastructure
36 account, the highway safety fund, the hospital safety net assessment
37 fund, the industrial insurance premium refund account, the Interstate
38 405 and state route number 167 express toll lanes account, the
39 judges' retirement account, the judicial retirement administrative
40 account, the judicial retirement principal account, the local

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

1 equipment fund, the transportation future funding program account,
2 the transportation improvement account, the transportation
3 improvement board bond retirement account, the transportation
4 infrastructure account, the transportation partnership account, the
5 traumatic brain injury account, the tuition recovery trust fund, the
6 University of Washington bond retirement fund, the University of
7 Washington building account, the voluntary cleanup account, the
8 volunteer firefighters' and reserve officers' relief and pension
9 principal fund, the volunteer firefighters' and reserve officers'
10 administrative fund, the vulnerable roadway user education account,
11 the 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 Yakima integrated plan implementation
23 account, the Yakima integrated plan implementation revenue recovery
24 account, and the Yakima integrated plan implementation taxable bond
25 account. Earnings derived from investing balances of the agricultural
26 permanent fund, the normal school permanent fund, the permanent
27 common school fund, the scientific permanent fund, the state
28 university permanent fund, and the state reclamation revolving
29 account shall be allocated to their respective beneficiary accounts.

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

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

1 NEW SECTION. **Sec. 12.** Sections 1 through 10 and 13 of this act
2 constitute a new chapter in Title 74 RCW.

3 NEW SECTION. **Sec. 13.** This act expires July 1, 2024.

4 NEW SECTION. **Sec. 14.** This act is necessary for the immediate
5 preservation of the public peace, health, or safety, or support of
6 the state government and its existing public institutions, and takes
7 effect immediately.

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