
SENATE BILL 5359

State of Washington

67th Legislature

2021 Regular Session

By Senators Braun, King, Schoesler, Wagoner, Warnick, Wilson, J., and Wilson, L.

Read first time 01/27/21. Referred to Committee on Ways & Means.

1 AN ACT Relating to dedicating the state sales tax on motor
2 vehicles to transportation improvements; amending RCW 82.08.020 and
3 82.12.020; reenacting and amending RCW 43.84.092 and 43.84.092;
4 adding a new section to chapter 46.68 RCW; creating a new section;
5 providing effective dates; and providing an expiration date.

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

7 NEW SECTION. **Sec. 1.** It is the intent of the legislature to
8 ensure Washington's transportation infrastructure can support the
9 safe and efficient movement of people and goods. Primary funding for
10 transportation infrastructure efforts comes from the state portion of
11 the fuel tax and fees for registering motor vehicles, which have
12 economic and political vulnerabilities that can limit their
13 reliability. The legislature intends to establish an additional
14 funding source that would not be subject to bonding, and therefore
15 offer greater flexibility and efficiency in addressing transportation
16 infrastructure needs. The legislature finds that dedicating the sales
17 tax revenue on vehicle sales to the transportation budget would
18 reinforce the state's ability to provide the 21st century
19 transportation system that the people of Washington can and should
20 expect.

1 **Sec. 2.** RCW 82.08.020 and 2014 c 140 s 12 are each amended to
2 read as follows:

3 (1) There is levied and collected a tax equal to six and five-
4 tenths percent of the selling price on each retail sale in this state
5 of:

6 (a) Tangible personal property, unless the sale is specifically
7 excluded from the RCW 82.04.050 definition of retail sale;

8 (b) Digital goods, digital codes, and digital automated services,
9 if the sale is included within the RCW 82.04.050 definition of retail
10 sale;

11 (c) Services, other than digital automated services, included
12 within the RCW 82.04.050 definition of retail sale;

13 (d) Extended warranties to consumers; and

14 (e) Anything else, the sale of which is included within the RCW
15 82.04.050 definition of retail sale.

16 (2) There is levied and collected an additional tax on each
17 retail car rental, regardless of whether the vehicle is licensed in
18 this state, equal to five and nine-tenths percent of the selling
19 price. The revenue collected under this subsection must be deposited
20 in the multimodal transportation account created in RCW 47.66.070.

21 (3) (a) Beginning July 1, 2003, there is levied and collected an
22 additional tax of three-tenths of one percent of the selling price on
23 each retail sale of a motor vehicle in this state, other than retail
24 car rentals taxed under subsection (2) of this section. The revenue
25 collected under this subsection must be deposited in the multimodal
26 transportation account created in RCW 47.66.070.

27 ~~((4))~~ (b) For purposes of this subsection (3) ~~((of this~~
28 ~~section))~~, "motor vehicle" has the meaning provided in RCW 46.04.320,
29 but does not include:

30 ~~((a))~~ (i) Farm tractors or farm vehicles as defined in RCW
31 46.04.180 and 46.04.181, unless the farm tractor or farm vehicle is
32 for use in the production of marijuana;

33 ~~((b))~~ (ii) Off-road vehicles as defined in RCW 46.04.365;

34 ~~((c))~~ (iii) Nonhighway vehicles as defined in RCW 46.09.310;
35 and

36 ~~((d))~~ (iv) Snowmobiles as defined in RCW 46.04.546.

37 (4) (a) Beginning July 1, 2022, all revenue collected under
38 subsection (1) of this section on each new and used retail sales of a
39 vehicle in this state, including private-party sales, but excluding

1 retail car rentals taxed under subsection (2) of this section, must
2 be deposited in the congestion relief and safety account.

3 (b) For purposes of this subsection (4), "vehicle" has the
4 meaning provided in RCW 46.04.670 including, but not limited to,
5 passenger vehicles, light trucks, commercial vehicles, travel
6 trailers, recreational vehicles, intermittent use trailers,
7 motorcycles, and campers, but "vehicle" does not include:

8 (i) Farm tractors or farm vehicles as defined in RCW 46.04.180
9 and 46.04.181, unless the farm tractor or farm vehicle is for use in
10 the production of marijuana;

11 (ii) Off-road vehicles as defined in RCW 46.04.365;

12 (iii) Nonhighway vehicles as defined in RCW 46.09.310;

13 (iv) Bicycles as defined in RCW 46.04.071; and

14 (v) Snowmobiles as defined in RCW 46.04.546.

15 (5) Beginning on December 8, 2005, 0.16 percent of the taxes
16 collected under subsection (1) of this section must be dedicated to
17 funding comprehensive performance audits required under RCW
18 43.09.470. The revenue identified in this subsection must be
19 deposited in the performance audits of government account created in
20 RCW 43.09.475.

21 (6) The taxes imposed under this chapter apply to successive
22 retail sales of the same property.

23 (7) The rates provided in this section apply to taxes imposed
24 under chapter 82.12 RCW as provided in RCW 82.12.020.

25 **Sec. 3.** RCW 82.12.020 and 2017 c 323 s 520 are each amended to
26 read as follows:

27 (1) There is levied and collected from every person in this state
28 a tax or excise for the privilege of using within this state as a
29 consumer any:

30 (a) Article of tangible personal property acquired by the user in
31 any manner, including tangible personal property acquired at a casual
32 or isolated sale, and including by-products used by the manufacturer
33 thereof, except as otherwise provided in this chapter, irrespective
34 of whether the article or similar articles are manufactured or are
35 available for purchase within this state;

36 (b) Prewritten computer software, regardless of the method of
37 delivery, but excluding prewritten computer software that is either
38 provided free of charge or is provided for temporary use in viewing
39 information, or both;

1 (c) Services defined as a retail sale in RCW 82.04.050 (2) (a) or
2 (g) or (6)(c), excluding services defined as a retail sale in RCW
3 82.04.050(6)(c) that are provided free of charge;

4 (d) Extended warranty; or

5 (e)(i) Digital good, digital code, or digital automated service,
6 including the use of any services provided by a seller exclusively in
7 connection with digital goods, digital codes, or digital automated
8 services, whether or not a separate charge is made for such services.

9 (ii) With respect to the use of digital goods, digital automated
10 services, and digital codes acquired by purchase, the tax imposed in
11 this subsection (1)(e) applies in respect to:

12 (A) Sales in which the seller has granted the purchaser the right
13 of permanent use;

14 (B) Sales in which the seller has granted the purchaser a right
15 of use that is less than permanent;

16 (C) Sales in which the purchaser is not obligated to make
17 continued payment as a condition of the sale; and

18 (D) Sales in which the purchaser is obligated to make continued
19 payment as a condition of the sale.

20 (iii) With respect to digital goods, digital automated services,
21 and digital codes acquired other than by purchase, the tax imposed in
22 this subsection (1)(e) applies regardless of whether or not the
23 consumer has a right of permanent use or is obligated to make
24 continued payment as a condition of use.

25 (2) The provisions of this chapter do not apply in respect to the
26 use of any article of tangible personal property, extended warranty,
27 digital good, digital code, digital automated service, or service
28 taxable under RCW 82.04.050 (2) (a) or (g) or (6)(c), if the sale to,
29 or the use by, the present user or the present user's bailor or donor
30 has already been subjected to the tax under chapter 82.08 RCW or this
31 chapter and the tax has been paid by the present user or by the
32 present user's bailor or donor.

33 (3)(a) Except as provided in this section, payment of the tax
34 imposed by this chapter or chapter 82.08 RCW by one purchaser or user
35 of tangible personal property, extended warranty, digital good,
36 digital code, digital automated service, or other service does not
37 have the effect of exempting any other purchaser or user of the same
38 property, extended warranty, digital good, digital code, digital
39 automated service, or other service from the taxes imposed by such
40 chapters.

1 (b) The tax imposed by this chapter does not apply:

2 (i) If the sale to, or the use by, the present user or his or her
3 bailor or donor has already been subjected to the tax under chapter
4 82.08 RCW or this chapter and the tax has been paid by the present
5 user or by his or her bailor or donor;

6 (ii) In respect to the use of any article of tangible personal
7 property acquired by bailment and the tax has once been paid based on
8 reasonable rental as determined by RCW 82.12.060 measured by the
9 value of the article at time of first use multiplied by the tax rate
10 imposed by chapter 82.08 RCW or this chapter as of the time of first
11 use;

12 (iii) In respect to the use of any article of tangible personal
13 property acquired by bailment, if the property was acquired by a
14 previous bailee from the same bailor for use in the same general
15 activity and the original bailment was prior to June 9, 1961; or

16 (iv) To the use of digital goods or digital automated services,
17 which were obtained through the use of a digital code, if the sale of
18 the digital code to, or the use of the digital code by, the present
19 user or the present user's bailor or donor has already been subjected
20 to the tax under chapter 82.08 RCW or this chapter and the tax has
21 been paid by the present user or by the present user's bailor or
22 donor.

23 (4) (a) Except as provided in (b) of this subsection (4), the tax
24 is levied and must be collected in an amount equal to the value of
25 the article used, value of the digital good or digital code used,
26 value of the extended warranty used, or value of the service used by
27 the taxpayer, multiplied by the applicable rates in effect for the
28 retail sales tax under RCW 82.08.020.

29 (b) In the case of a seller required to collect use tax from the
30 purchaser, the tax must be collected in an amount equal to the
31 purchase price multiplied by the applicable rate in effect for the
32 retail sales tax under RCW 82.08.020.

33 (5) For purposes of the tax imposed in this section, "person"
34 includes anyone within the definition of "buyer," "purchaser," and
35 "consumer" in RCW 82.08.010.

36 (6) (a) Beginning July 1, 2022, all use tax revenue collected
37 under subsection (1) of this section on the use of each new and used
38 vehicle in this state, but excluding retail car rentals taxed under
39 RCW 82.08.020, must be deposited in the congestion relief and safety
40 account.

1 (b) For purposes of this subsection (6):

2 (i) "Highway purposes" also includes preservation; and

3 (ii) "Vehicle" has the meaning provided in RCW 46.04.670
4 including, but not limited to, passenger vehicles, light trucks,
5 commercial vehicles, travel trailers, recreational vehicles,
6 intermittent use trailers, motorcycles, and campers, but "vehicle"
7 does not include:

8 (A) Farm tractors or farm vehicles as defined in RCW 46.04.180
9 and 46.04.181, unless the farm tractor or farm vehicle is for use in
10 the production of marijuana;

11 (B) Off-road vehicles as defined in RCW 46.04.365;

12 (C) Nonhighway vehicles as defined in RCW 46.09.310;

13 (D) Bicycles as defined in RCW 46.04.071; and

14 (E) Snowmobiles as defined in RCW 46.04.546.

15 NEW SECTION. Sec. 4. A new section is added to chapter 46.68
16 RCW to read as follows:

17 (1) The congestion relief and safety account is created in the
18 state treasury. Moneys in the account may be spent only after
19 appropriation. Expenditures from the account may be used only for
20 transportation projects, programs, or activities based on the
21 percentage of historical spending of 18th amendment restricted funds
22 and noneineteenth amendment restricted funds as determined under
23 subsection (2) of this section.

24 (2) By November 1st of each even-numbered year, the joint
25 transportation committee must determine the historical percentage
26 spent from 18th amendment restricted funds and noneineteenth
27 amendment restricted funds based on the three most recently completed
28 fiscal biennia. This information must be transmitted to the office of
29 financial management and the house and senate transportation
30 committees of the legislature to be used in the development of their
31 respective omnibus transportation appropriations.

32 (3) All sales and use tax revenues on new and used vehicles
33 deposited into the congestion relief and safety account pursuant to
34 RCW 82.08.020 and 82.12.020 must be used exclusively on a cash
35 funding basis for transportation projects, programs, and activities,
36 including reducing the reliance on transportation-related debt
37 obligations pursuant to subsection (4) of this section. All sales and
38 use tax revenues on new and used vehicles deposited into the
39 congestion relief and safety account pursuant to RCW 82.08.020 and

1 82.12.020 may not be used for any new revenue bond issues or used as
2 a source for any other type of debt or similar type of financing
3 mechanism.

4 (4) Part of the purpose in the allocation of additional resources
5 from the sales and use tax revenues on new and used vehicles into the
6 congestion relief and safety account pursuant to RCW 82.08.020 and
7 82.12.020 is to lower the overall reliance on debt financing for
8 transportation projects and infrastructure. Beginning December 1,
9 2023, and each two years thereafter, the state treasurer must prepare
10 a report that shows the impact of this act on the reliance of debt
11 financing for transportation appropriations.

12 (5) Nothing in this section may be construed so as to violate any
13 terms or conditions contained in any highway construction bond issues
14 now or hereafter authorized by statute and whose payment is by such
15 statute pledged to be paid from any excise taxes on fuel.

16 **Sec. 5.** RCW 43.84.092 and 2020 c 354 s 11, 2020 c 221 s 5, 2020
17 c 148 s 3, 2020 c 103 s 7, and 2020 c 18 s 3 are each reenacted and
18 amended to read as follows:

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

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

38 (3) Except for the provisions of RCW 43.84.160, the treasury
39 income account may be utilized for the payment of purchased banking

1 services on behalf of treasury funds including, but not limited to,
2 depository, safekeeping, and disbursement functions for the state
3 treasury and affected state agencies. The treasury income account is
4 subject in all respects to chapter 43.88 RCW, but no appropriation is
5 required for payments to financial institutions. Payments shall occur
6 prior to distribution of earnings set forth in subsection (4) of this
7 section.

8 (4) Monthly, the state treasurer shall distribute the earnings
9 credited to the treasury income account. The state treasurer shall
10 credit the general fund with all the earnings credited to the
11 treasury income account except:

12 (a) The following accounts and funds shall receive their
13 proportionate share of earnings based upon each account's and fund's
14 average daily balance for the period: The abandoned recreational
15 vehicle disposal account, the aeronautics account, the Alaskan Way
16 viaduct replacement project account, the ambulance transport fund,
17 the brownfield redevelopment trust fund account, the budget
18 stabilization account, the capital vessel replacement account, the
19 capitol building construction account, the Central Washington
20 University capital projects account, the charitable, educational,
21 penal and reformatory institutions account, the Chehalis basin
22 account, the Chehalis basin taxable account, the cleanup settlement
23 account, the Columbia river basin water supply development account,
24 the Columbia river basin taxable bond water supply development
25 account, the Columbia river basin water supply revenue recovery
26 account, the common school construction fund, the community forest
27 trust account, the congestion relief and safety account, the
28 connecting Washington account, the county arterial preservation
29 account, the county criminal justice assistance account, the deferred
30 compensation administrative account, the deferred compensation
31 principal account, the department of licensing services account, the
32 department of retirement systems expense account, the developmental
33 disabilities community (~~trust~~) services account, the diesel idle
34 reduction account, the drinking water assistance account, the
35 administrative subaccount of the drinking water assistance account,
36 the early learning facilities development account, the early learning
37 facilities revolving account, the Eastern Washington University
38 capital projects account, the education construction fund, the
39 education legacy trust account, the election account, the electric
40 vehicle account, the energy freedom account, the energy recovery act

1 account, the essential rail assistance account, The Evergreen State
2 College capital projects account, the ferry bond retirement fund, the
3 fish, wildlife, and conservation account, the freight mobility
4 investment account, the freight mobility multimodal account, the
5 grade crossing protective fund, the public health services account,
6 the state higher education construction account, the higher education
7 construction account, the higher education retirement plan
8 supplemental benefit fund, the highway bond retirement fund, the
9 highway infrastructure account, the highway safety fund, the hospital
10 safety net assessment fund, the Interstate 405 and state route number
11 167 express toll lanes account, the judges' retirement account, the
12 judicial retirement administrative account, the judicial retirement
13 principal account, the limited fish and wildlife account, the local
14 leasehold excise tax account, the local real estate excise tax
15 account, the local sales and use tax account, the marine resources
16 stewardship trust account, the medical aid account, the money-
17 purchase retirement savings administrative account, the money-
18 purchase retirement savings principal account, the motor vehicle
19 fund, the motorcycle safety education account, the multimodal
20 transportation account, the multiuse roadway safety account, the
21 municipal criminal justice assistance account, the oyster reserve
22 land account, the pension funding stabilization account, the
23 perpetual surveillance and maintenance account, the pilotage account,
24 the pollution liability insurance agency underground storage tank
25 revolving account, the public employees' retirement system plan 1
26 account, the public employees' retirement system combined plan 2 and
27 plan 3 account, the public facilities construction loan revolving
28 account, the public health supplemental account, the public works
29 assistance account, the Puget Sound capital construction account, the
30 Puget Sound ferry operations account, the Puget Sound Gateway
31 facility account, the Puget Sound taxpayer accountability account,
32 the real estate appraiser commission account, the recreational
33 vehicle account, the regional mobility grant program account, the
34 resource management cost account, the rural arterial trust account,
35 the rural mobility grant program account, the rural Washington loan
36 fund, the sexual assault prevention and response account, the site
37 closure account, the skilled nursing facility safety net trust fund,
38 the small city pavement and sidewalk account, the special category C
39 account, the special wildlife account, the state investment board
40 expense account, the state investment board commingled trust fund

1 accounts, the state patrol highway account, the state reclamation
2 revolving account, the state route number 520 civil penalties
3 account, the state route number 520 corridor account, the statewide
4 broadband account, the statewide tourism marketing account, the
5 supplemental pension account, the Tacoma Narrows toll bridge account,
6 the teachers' retirement system plan 1 account, the teachers'
7 retirement system combined plan 2 and plan 3 account, the tobacco
8 prevention and control account, the tobacco settlement account, the
9 toll facility bond retirement account, the transportation 2003
10 account (nickel account), the transportation equipment fund, the
11 transportation future funding program account, the transportation
12 improvement account, the transportation improvement board bond
13 retirement account, the transportation infrastructure account, the
14 transportation partnership account, the traumatic brain injury
15 account, the University of Washington bond retirement fund, the
16 University of Washington building account, the voluntary cleanup
17 account, the volunteer firefighters' and reserve officers' relief and
18 pension principal fund, the volunteer firefighters' and reserve
19 officers' administrative fund, the vulnerable roadway user education
20 account, the Washington judicial retirement system account, the
21 Washington law enforcement officers' and firefighters' system plan 1
22 retirement account, the Washington law enforcement officers' and
23 firefighters' system plan 2 retirement account, the Washington public
24 safety employees' plan 2 retirement account, the Washington school
25 employees' retirement system combined plan 2 and 3 account, the
26 Washington state patrol retirement account, the Washington State
27 University building account, the Washington State University bond
28 retirement fund, the water pollution control revolving administration
29 account, the water pollution control revolving fund, the Western
30 Washington University capital projects account, the Yakima integrated
31 plan implementation account, the Yakima integrated plan
32 implementation revenue recovery account, and the Yakima integrated
33 plan implementation taxable bond account. Earnings derived from
34 investing balances of the agricultural permanent fund, the normal
35 school permanent fund, the permanent common school fund, the
36 scientific permanent fund, and the state university permanent fund
37 shall be allocated to their respective beneficiary accounts.

38 (b) Any state agency that has independent authority over accounts
39 or funds not statutorily required to be held in the state treasury
40 that deposits funds into a fund or account in the state treasury

1 pursuant to an agreement with the office of the state treasurer shall
2 receive its proportionate share of earnings based upon each account's
3 or fund's average daily balance for the period.

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

7 **Sec. 6.** RCW 43.84.092 and 2020 c 221 s 5, 2020 c 148 s 3, 2020 c
8 103 s 7, and 2020 c 18 s 3 are each reenacted and amended to read as
9 follows:

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

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

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

38 (4) Monthly, the state treasurer shall distribute the earnings
39 credited to the treasury income account. The state treasurer shall

1 credit the general fund with all the earnings credited to the
2 treasury income account except:

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

1 405 and state route number 167 express toll lanes account, the
2 judges' retirement account, the judicial retirement administrative
3 account, the judicial retirement principal account, the limited fish
4 and wildlife account, the local leasehold excise tax account, the
5 local real estate excise tax account, the local sales and use tax
6 account, the marine resources stewardship trust account, the medical
7 aid account, the money-purchase retirement savings administrative
8 account, the money-purchase retirement savings principal account, the
9 motor vehicle fund, the motorcycle safety education account, the
10 multimodal transportation account, the multiuse roadway safety
11 account, the municipal criminal justice assistance account, the
12 oyster reserve land account, the pension funding stabilization
13 account, the perpetual surveillance and maintenance account, the
14 pilotage account, the pollution liability insurance agency
15 underground storage tank revolving account, the public employees'
16 retirement system plan 1 account, the public employees' retirement
17 system combined plan 2 and plan 3 account, the public facilities
18 construction loan revolving account, the public health supplemental
19 account, the public works assistance account, the Puget Sound capital
20 construction account, the Puget Sound ferry operations account, the
21 Puget Sound Gateway facility account, the Puget Sound taxpayer
22 accountability account, the real estate appraiser commission account,
23 the recreational vehicle account, the regional mobility grant program
24 account, the resource management cost account, the rural arterial
25 trust account, the rural mobility grant program account, the rural
26 Washington loan fund, the sexual assault prevention and response
27 account, the site closure account, the skilled nursing facility
28 safety net trust fund, the small city pavement and sidewalk account,
29 the special category C account, the special wildlife account, the
30 state investment board expense account, the state investment board
31 commingled trust fund accounts, the state patrol highway account, the
32 state reclamation revolving account, the state route number 520 civil
33 penalties account, the state route number 520 corridor account, the
34 statewide broadband account, the statewide tourism marketing account,
35 the supplemental pension account, the Tacoma Narrows toll bridge
36 account, the teachers' retirement system plan 1 account, the
37 teachers' retirement system combined plan 2 and plan 3 account, the
38 tobacco prevention and control account, the tobacco settlement
39 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 University of Washington bond
6 retirement fund, the University of Washington building account, the
7 voluntary cleanup account, the volunteer firefighters' and reserve
8 officers' relief and pension principal fund, the volunteer
9 firefighters' and reserve officers' administrative fund, the
10 vulnerable roadway user education account, the Washington judicial
11 retirement system account, the Washington law enforcement officers'
12 and firefighters' system plan 1 retirement account, the Washington
13 law enforcement officers' and firefighters' system plan 2 retirement
14 account, the Washington public safety employees' plan 2 retirement
15 account, the Washington school employees' retirement system combined
16 plan 2 and 3 account, the Washington state patrol retirement account,
17 the Washington State University building account, the Washington
18 State University bond retirement fund, the water pollution control
19 revolving administration account, the water pollution control
20 revolving fund, the Western Washington University capital projects
21 account, the Yakima integrated plan implementation account, the
22 Yakima integrated plan implementation revenue recovery account, and
23 the Yakima integrated plan implementation taxable bond account.
24 Earnings derived from investing balances of the agricultural
25 permanent fund, the normal school permanent fund, the permanent
26 common school fund, the scientific permanent fund, and the state
27 university permanent fund shall be allocated to their respective
28 beneficiary accounts.

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

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

38 NEW SECTION. **Sec. 7.** Section 5 of this act expires July 1,
39 2024.

1 NEW SECTION. **Sec. 8.** Section 6 of this act takes effect July 1,
2 2024.

3 NEW SECTION. **Sec. 9.** Sections 1 through 5 of this act take
4 effect July 1, 2022.

--- **END** ---