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**SUBSTITUTE SENATE BILL 5616**

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**State of Washington**

**67th Legislature**

**2022 Regular Session**

**By** Senate Ways & Means (originally sponsored by Senator Rolfes; by request of Office of Financial Management)

READ FIRST TIME 02/01/22.

1 AN ACT Relating to accounts; amending RCW 43.330.767, 46.68.067,  
2 38.52.105, 41.05.143, 41.06.280, 43.08.190, 43.09.475, 71.24.580,  
3 82.08.170, and 90.50A.090; reenacting and amending RCW 43.70.715,  
4 43.155.050, 79.105.150, and 82.14.310; reenacting and amending 2018 c  
5 298 s 7008 (uncodified); reenacting RCW 43.79.550, 43.79.555,  
6 43.79.557, and 28A.300.820; adding a new section to chapter 43.79  
7 RCW; creating a new section; repealing RCW 43.60A.153 and 43.79.467;  
8 and providing an effective date.

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

10 **Sec. 1.** RCW 43.330.767 and 2021 c 64 s 5 are each amended to  
11 read as follows:

12 (1) The manufacturing cluster acceleration (~~((subaccount—is~~  
13 ~~established in the economic development strategic reserve))~~ account  
14 is created in the state treasury. All receipts from appropriations  
15 made to the manufacturing cluster acceleration (~~((subaccount))~~) account  
16 shall be deposited into the (~~((subaccount))~~) account. Moneys in the  
17 account may be spent only after appropriation.

18 (2) The department may make expenditures from the (~~((subaccount))~~)  
19 account to support regional cluster acceleration strategies,  
20 including: Supporting projects to assist manufacturers to diversify  
21 their customer base and supply chain, supporting pilot or

1 demonstration manufacturing projects coordination with organized  
2 cluster initiatives, and supporting projects that are intended to  
3 increase manufacturing and research and development jobs regionally.

4 (3) The department is encouraged to seek match funds for any  
5 funds appropriated to this account (~~((subaccount))~~) and may utilize  
6 funds to match nonstate funds being expended on a specific project  
7 that aligns with the purpose of this section.

8 **Sec. 2.** RCW 46.68.067 and 2021 c 240 s 15 are each amended to  
9 read as follows:

10 The driver licensing technology support account is created (~~((as a~~  
11 ~~subaccount))~~) in the highway safety fund under RCW 46.68.060. Moneys  
12 in the (~~((subaccount))~~) account may be spent only after appropriation.  
13 Expenditures from the (~~((subaccount))~~) account may be used only for  
14 supporting information technology systems used by the department to  
15 communicate with the judicial information system, manage driving  
16 records, and implement court orders.

17 NEW SECTION. **Sec. 3.** A new section is added to chapter 43.79  
18 RCW to read as follows:

19 The clean energy transition workforce account is created in the  
20 state treasury. Moneys in the account may be spent only after  
21 appropriation. Expenditures from the account may be used only to  
22 support workers who are affected by the state's transition away from  
23 fossil fuels to a clean energy economy and associated program  
24 administrative expenses.

25 **Sec. 4.** RCW 43.79.550 and 2021 c 334 s 958 are each reenacted to  
26 read as follows:

27 The forest resiliency account is created in the state treasury.  
28 Revenues to the account shall consist of appropriations and transfers  
29 by the legislature and all other funding directed for deposit into  
30 the account. Moneys in the account may be spent only after  
31 appropriation. Expenditures from the account are dedicated to  
32 activities that include but are not limited to forest health, carbon  
33 sequestration, and any other activity that helps protect the forests  
34 of Washington.

35 **Sec. 5.** RCW 43.79.555 and 2021 c 334 s 1902 are each reenacted  
36 to read as follows:

1 The Washington rescue plan transition account is created in the  
2 state treasury. Moneys in the account may be spent only after  
3 appropriation. Revenues to the account consist of moneys directed by  
4 the legislature to the account. Allowable uses of moneys in the  
5 account include responding to the impacts of the COVID-19 pandemic  
6 including those related to education, human services, health care,  
7 and the economy. In addition, the legislature may appropriate from  
8 the account to continue activities begun with, or augmented with,  
9 COVID-19 related federal funding.

10 **Sec. 6.** RCW 43.79.557 and 2021 c 334 s 1903 are each reenacted  
11 to read as follows:

12 The coronavirus state fiscal recovery fund is created in the  
13 state treasury. Moneys in the account may be spent only after  
14 appropriation. All federal moneys received by the state pursuant to  
15 the American rescue plan act of 2021, state fiscal recovery fund,  
16 P.L. 117-2, subtitle M, section 9901, must be deposited in the  
17 account. The legislature may appropriate from the account only for  
18 the purposes authorized in that section of the federal act.

19 **Sec. 7.** RCW 43.70.715 and 2021 c 334 s 1004 are each reenacted  
20 and amended to read as follows:

21 (1) The COVID-19 public health response account is created in the  
22 custody of the state treasurer. The account shall consist of funds  
23 appropriated by the legislature and grants received by the department  
24 of health for activities in response to the coronavirus pandemic  
25 (COVID-19). Only the secretary, or the secretary's designee, may  
26 authorize expenditures from the account for costs related to the  
27 public health response to COVID-19, subject to any limitations  
28 imposed by grant funding deposited into the account. The COVID-19  
29 public health response account is subject to allotment procedures  
30 under chapter 43.88 RCW, but an appropriation is not required for  
31 expenditures.

32 (2)(a) The legislature finds that a safe, efficient, and  
33 effective delivery of vaccinations is of the utmost importance for  
34 restoring societal and economic functions. As we learn more about the  
35 virus, the vaccine, and challenges to vaccine allocation and  
36 distribution, it is anticipated that the state's COVID-19 vaccination  
37 distribution plan will evolve. To that end, the legislature has  
38 provided flexibility by funding expenditures for testing, contact

1 tracing, mitigation activities, vaccine administration and  
2 distribution, and other allowable uses for the state, local health  
3 jurisdictions, and tribes at the discretion of the secretary and  
4 without an appropriation. However, to maintain fiscal control and to  
5 ensure spending priorities align, the department is required to  
6 collaborate and communicate with the chairs and ranking members of  
7 the health care and fiscal committees of the legislature and local  
8 health jurisdictions in advance of any significant revision of the  
9 state's COVID-19 vaccination plan and to provide regular updates on  
10 its implementation and spending.

11 (b) As part of the public health response to COVID-19, the  
12 expenditures from the account must be used to effectively administer  
13 the vaccine for COVID-19 and conduct testing and contact tracing. The  
14 department must ensure that COVID-19 outreach is accessible,  
15 culturally and linguistically appropriate, and that it includes  
16 community-driven partnerships and strategies.

17 (c) When making expenditures for administering the vaccine for  
18 COVID-19, the department must focus on identifying persons for  
19 vaccination, prioritizing underserved, underrepresented, and hard-to-  
20 reach communities, making the vaccine accessible, and providing  
21 support to schools for safe reopening. Strategies for vaccine  
22 distribution shall include the establishment and expansion of  
23 community vaccination centers, mobile vaccination units, reporting  
24 enhancements, in-home visits for vaccinations for the elderly, and  
25 transportation of individuals to vaccination sites.

26 (d) When making expenditures regarding testing and contact  
27 tracing, the department must provide equitable access, prioritize  
28 underserved, underrepresented, and hard-to-reach communities, and  
29 provide support and resources to facilitate the safe reopening of  
30 schools while minimizing community spread of the virus.

31 (e) The department may also make expenditures from the account  
32 related to developing the public health workforce using funds granted  
33 by the federal government for that purpose in section 2501, the  
34 American rescue plan act of 2021, P.L. 117-2.

35 (3) When making expenditures from the account, the department  
36 must include an emphasis on public communication regarding the  
37 availability and accessibility of the vaccine and testing, and the  
38 importance of vaccine and testing availability to the safe reopening  
39 of the state.

1 (4) (a) The department must report to the fiscal and health care  
2 committees of the legislature on a monthly basis regarding its  
3 COVID-19 response.

4 (b) To the extent that it is available, the report must include  
5 data regarding vaccine distribution, testing, and contact tracing, as  
6 follows:

7 (i) The number of vaccines administered per day, including  
8 regional data regarding the location and age groups of persons  
9 receiving the vaccine, specifically identifying hard-to-reach  
10 communities in which vaccines were administered; and

11 (ii) The number of tests conducted per week, including data  
12 specifically addressing testing conducted in hard-to-reach  
13 communities.

14 (c) The first monthly report is due no later than one month from  
15 February 19, 2021. Monthly reports are no longer required upon the  
16 department's determination that the remaining balance of the COVID-19  
17 (~~(public health))~~) public health response account is less than  
18 \$100,000.

19 **Sec. 8.** RCW 28A.300.820 and 2021 c 334 s 1901 are each reenacted  
20 to read as follows:

21 The elementary and secondary school emergency relief III account  
22 is created in the state treasury. Revenues attributable to section  
23 2001, the American rescue plan act of 2021, P.L. 117-2 must be  
24 deposited into the account. Moneys in the account may be spent only  
25 after appropriation.

26 **Sec. 9.** 2018 c 298 s 7008 (uncodified) is reenacted and amended  
27 to read as follows:

28 The energy efficiency account is hereby created in the state  
29 treasury. The sums deposited in the energy efficiency account shall  
30 be appropriated and expended for loans, loan guarantees, and grants  
31 for projects that encourage the establishment and use of innovative  
32 and sustainable industries for renewable energy and energy efficiency  
33 technology. The balance of state funds, federal funds, and loan  
34 repayments, from the energy recovery act account, are deposited in  
35 this account. Moneys in the account may also be appropriated and  
36 expended for loans, loan guarantees, and grants for projects that  
37 achieve reductions in greenhouse gas emissions for emissions-  
38 intensive, trade-exposed industries.

1       **Sec. 10.** RCW 38.52.105 and 2021 c 334 s 963 are each amended to  
2 read as follows:

3       The disaster response account is created in the state treasury.  
4 Moneys may be placed in the account from legislative appropriations  
5 and transfers, federal appropriations, or any other lawful source.  
6 Moneys in the account may be spent only after appropriation.  
7 Expenditures from the account may be used only for support of state  
8 agency and local government disaster response and recovery efforts,  
9 including response by state and local government and federally  
10 recognized tribes to the novel coronavirus pursuant to the  
11 gubernatorial declaration of emergency of February 29, 2020, and to  
12 reimburse the workers' compensation funds and self-insured employers  
13 under RCW 51.16.220. (~~During the 2019-2021 and 2021-2023 fiscal~~  
14 ~~biennia, expenditures~~) Expenditures from the disaster response  
15 account may be used for military department operations and to support  
16 wildland fire suppression preparedness, prevention, and restoration  
17 activities by state agencies and local governments. (~~During the~~  
18 ~~2017-2019 and 2019-2021 fiscal biennia, the~~) The legislature may  
19 direct the treasurer to make transfers of moneys in the disaster  
20 response account to the state general fund. (~~It is the intent of the~~  
21 ~~legislature that these policies will be continued in subsequent~~  
22 ~~fiscal biennia.~~)

23       **Sec. 11.** RCW 41.05.143 and 2018 c 260 s 27 are each amended to  
24 read as follows:

25       (1) The uniform medical plan benefits administration account is  
26 created in the custody of the state treasurer. Only the director or  
27 the director's designee may authorize expenditures from the account.  
28 Moneys in the account shall be used exclusively for contracted  
29 expenditures for uniform medical plan claims administration, data  
30 analysis, utilization management, preferred provider administration,  
31 and activities related to benefits administration where the level of  
32 services provided pursuant to a contract fluctuate as a direct result  
33 of changes in uniform medical plan enrollment. Moneys in the account  
34 may also be used for administrative activities required to respond to  
35 new and unforeseen conditions that impact the uniform medical plan,  
36 but only when the authority and the office of financial management  
37 jointly agree that such activities must be initiated prior to the  
38 next legislative session.

1 (2) Receipts from amounts due from or on behalf of uniform  
2 medical plan enrollees for expenditures related to benefits  
3 administration, including moneys disbursed from the public employees'  
4 and retirees' insurance account, shall be deposited into the account.  
5 The account is subject to allotment procedures under chapter 43.88  
6 RCW, but no appropriation is required for expenditures. All proposals  
7 for allotment increases shall be provided to the house of  
8 representatives appropriations committee and to the senate ways and  
9 means committee at the same time as they are provided to the office  
10 of financial management.

11 (3) The uniform dental plan benefits administration account is  
12 created in the custody of the state treasurer. Only the director or  
13 the director's designee may authorize expenditures from the account.  
14 Moneys in the account shall be used exclusively for contracted  
15 expenditures related to benefits administration for the uniform  
16 dental plan as established under RCW 41.05.140. Receipts from amounts  
17 due from or on behalf of uniform dental plan enrollees for  
18 expenditures related to benefits administration, including moneys  
19 disbursed from the public employees' and retirees' insurance account,  
20 shall be deposited into the account. The account is subject to  
21 allotment procedures under chapter 43.88 RCW, but no appropriation is  
22 required for expenditures.

23 ~~(4) ((The public employees' benefits board medical benefits~~  
24 ~~administration account is created in the custody of the state~~  
25 ~~treasurer. Only the director or the director's designee may authorize~~  
26 ~~expenditures from the account. Moneys in the account shall be used~~  
27 ~~exclusively for contracted expenditures related to claims~~  
28 ~~administration, data analysis, utilization management, preferred~~  
29 ~~provider administration, and other activities related to benefits~~  
30 ~~administration for self-insured medical plans. Receipts from amounts~~  
31 ~~due from or on behalf of enrollees for expenditures related to~~  
32 ~~benefits administration, including moneys disbursed from the public~~  
33 ~~employees' and retirees' insurance account, shall be deposited into~~  
34 ~~the account. The account is subject to allotment procedures under~~  
35 ~~chapter 43.88 RCW, but an appropriation is not required for~~  
36 ~~expenditures.~~

37 (5)) The school employees' benefits board medical benefits  
38 administrative account is created in the custody of the state  
39 treasurer. Only the director or the director's designee may authorize  
40 expenditures from the account. Moneys in the account shall be used

1 exclusively for school employees' benefits board contracted  
2 expenditures related to claims administration, data analysis,  
3 utilization management, preferred provider administration, and other  
4 activities related to benefits administration for self-insured  
5 medical plans. Receipts from amounts due from or on behalf of  
6 enrollees for expenditures related to benefits administration,  
7 including moneys disbursed from the school employees' insurance  
8 account, shall be deposited into the account. The account is subject  
9 to allotment procedures under chapter 43.88 RCW, but no appropriation  
10 is required for expenditures.

11 ~~((+6))~~ (5) The school employees' benefits board dental benefits  
12 administration account is created in the custody of the state  
13 treasurer. Only the director or the director's designee may authorize  
14 expenditures from the account. Moneys in the account shall be used  
15 exclusively for school employees' benefits board contracted  
16 expenditures related to benefits administration for the self-insured  
17 dental plan as established under RCW 41.05.140. Receipts from amounts  
18 due from or on behalf of the self-insured dental plan enrollees for  
19 expenditures related to benefits administration, including moneys  
20 disbursed from the school employees' insurance account, shall be  
21 deposited into the account. The account is subject to allotment  
22 procedures under chapter 43.88 RCW, but no appropriation is required  
23 for expenditures.

24 **Sec. 12.** RCW 41.06.280 and 2021 c 334 s 964 are each amended to  
25 read as follows:

26 (1) There is hereby created a fund within the state treasury,  
27 designated as the "personnel service fund," to be used by the office  
28 of financial management as a revolving fund for the payment of  
29 salaries, wages, and operations required for the administration of  
30 the provisions of this chapter, applicable provisions of chapter  
31 41.04 RCW, and chapter 41.60 RCW. An amount not to exceed one and  
32 one-half percent of the salaries and wages for all positions in the  
33 classified service in each of the agencies subject to this chapter,  
34 except the institutions of higher education, shall be charged to the  
35 operations appropriations of each agency and credited to the  
36 personnel service fund as the allotments are approved pursuant to  
37 chapter 43.88 RCW. Subject to the above limitations, the amount shall  
38 be charged against the allotments pro rata, at a rate to be fixed by  
39 the director from time to time which, together with income derived



1 from services rendered under RCW 41.06.080, will provide the office  
2 of financial management with funds to meet its anticipated  
3 expenditures during the allotment period, including the training  
4 requirements in RCW 41.06.500 and 41.06.530. All revenues, net of  
5 expenditures, previously derived from services provided by the  
6 department of enterprise services under RCW 41.06.080 must be  
7 transferred to the enterprise services account.

8 (2) The director shall fix the terms and charges for services  
9 rendered by the office of financial management pursuant to RCW  
10 41.06.080, which amounts shall be credited to the personnel service  
11 fund and charged against the proper fund or appropriation of the  
12 recipient of such services on a monthly basis. Payment for services  
13 so rendered under RCW 41.06.080 shall be made on a monthly basis to  
14 the state treasurer and deposited in the personnel service fund.

15 (3) Moneys from the personnel service fund shall be disbursed by  
16 the state treasurer by warrants on vouchers duly authorized by the  
17 office of financial management.

18 (4) (~~During the 2019-2021 and 2021-2023 fiscal biennia, the~~)  
19 The office of financial management may use the personnel service fund  
20 to administer an employee transit pass program and other employment  
21 benefits. The office of financial management must bill state agencies  
22 for the total cost of administering the program and payments received  
23 from agencies must be deposited in the personnel service fund.

24 (~~(5) During the 2019-2021 fiscal biennium, the office of~~  
25 ~~financial management may use the personnel service fund to administer~~  
26 ~~an employee flexible spending arrangement. The office of financial~~  
27 ~~management must bill state agencies for the total cost of~~  
28 ~~administering the program and payments received from agencies must be~~  
29 ~~deposited in the personnel service fund.))~~

30 **Sec. 13.** RCW 43.08.190 and 2021 c 334 s 969 are each amended to  
31 read as follows:

32 There is hereby created a fund within the state treasury to be  
33 known as the "state treasurer's service fund." Such fund shall be  
34 used solely for the payment of costs and expenses incurred in the  
35 operation and administration of the state treasurer's office.

36 Moneys shall be allocated monthly and placed in the state  
37 treasurer's service fund equivalent to a maximum of one percent of  
38 the trust and treasury average daily cash balances from the earnings  
39 generated under the authority of RCW 43.79A.040 and 43.84.080 other

1 than earnings generated from investment of balances in funds and  
2 accounts specified in RCW 43.79A.040(4)(c). The allocation shall  
3 precede the distribution of the remaining earnings as prescribed  
4 under RCW 43.79A.040 and 43.84.092. The state treasurer shall  
5 establish a uniform allocation rate for all funds and accounts;  
6 except that the state treasurer may negotiate a different allocation  
7 rate with any state agency that has independent authority over funds  
8 not statutorily required to be held in the state treasury or in the  
9 custody of the state treasurer. In no event shall the rate be less  
10 than the actual costs incurred by the state treasurer's office. If no  
11 rate is separately negotiated, the default rate for any funds held  
12 shall be the rate set for funds held pursuant to statute.

13 ~~((During the 2019-2021 and 2021-2023 fiscal biennia, the))~~ The  
14 legislature may direct the state treasurer to make transfers of money  
15 in the state treasurer's service fund to the state general fund. ~~((It~~  
16 ~~is the intent of the legislature that this policy will be continued~~  
17 ~~in subsequent biennia.))~~

18 **Sec. 14.** RCW 43.09.475 and 2021 c 334 s 970 are each amended to  
19 read as follows:

20 The performance audits of government account is hereby created in  
21 the custody of the state treasurer. Revenue identified in RCW  
22 82.08.020(5) and 82.12.0201 shall be deposited in the account. Money  
23 in the account shall be used to fund the performance audits and  
24 follow-up performance audits under RCW 43.09.470 and shall be  
25 expended by the state auditor in accordance with chapter 1, Laws of  
26 2006. Only the state auditor or the state auditor's designee may  
27 authorize expenditures from the account. The account is subject to  
28 allotment procedures under chapter 43.88 RCW, but an appropriation is  
29 not required for expenditures. ~~((During the 2019-2021 and 2021-2023~~  
30 ~~fiscal biennia, the))~~ The performance audits of government account  
31 may be appropriated for the joint legislative audit and review  
32 committee, the legislative evaluation and accountability program  
33 committee, and for the office of financial management's~~((7))~~  
34 performance audit and compliance audit activities. During the  
35 2019-2021 and 2021-2023 fiscal biennia, the performance audits of  
36 government account may be appropriated for the superintendent of  
37 public instruction, the department of fish and wildlife, and audits  
38 of school districts. In addition, during the 2019-2021 and 2021-2023  
39 fiscal biennia the account may be used to fund the office of

1 financial management's contract for the compliance audit of the state  
2 auditor and audit activities at the department of revenue.

3 **Sec. 15.** RCW 43.155.050 and 2021 c 334 s 979 and 2021 c 332 s  
4 7031 are each reenacted and amended to read as follows:

5 The public works assistance account is hereby established in the  
6 state treasury. Money may be placed in the public works assistance  
7 account from the proceeds of bonds when authorized by the legislature  
8 or from any other lawful source. Money in the public works assistance  
9 account shall be used to make loans and grants and to give financial  
10 guarantees to local governments for public works projects. Moneys in  
11 the account may also be appropriated or transferred to the water  
12 pollution control revolving fund and the drinking water assistance  
13 account to provide for state match requirements under federal law.  
14 Not more than twenty percent of the biennial capital budget  
15 appropriation to the public works board from this account may be  
16 expended or obligated for preconstruction loans and grants, emergency  
17 loans and grants, or loans and grants for capital facility planning  
18 under this chapter. Not more than ten percent of the biennial capital  
19 budget appropriation to the public works board from this account may  
20 be expended or obligated as grants for preconstruction, emergency,  
21 capital facility planning, and construction projects. During the  
22 2017-2019 and 2019-2021 fiscal biennia, the legislature may  
23 appropriate moneys from the account for activities related to rural  
24 economic development, the growth management act, the aviation  
25 revitalization loan program, the community economic revitalization  
26 board broadband program, and the voluntary stewardship program.  
27 During the 2021-2023 biennium, the legislature may appropriate moneys  
28 from the account for activities related to the aviation  
29 revitalization board. During the 2019-2021 fiscal biennia, the  
30 legislature may direct the state treasurer to make transfers of  
31 moneys in the public works assistance account to the education legacy  
32 trust account. During the 2019-2021 and 2021-2023 fiscal biennia, the  
33 legislature may direct the state treasurer to make transfers of  
34 moneys in the public works assistance account to the statewide  
35 broadband account. (~~During the 2021-2023 fiscal biennium, the~~) The  
36 legislature may appropriate moneys from the public works assistance  
37 account for activities related to the voluntary stewardship program,  
38 rural economic development, and the growth management act.

1       **Sec. 16.** RCW 71.24.580 and 2021 c 334 s 989 are each amended to  
2 read as follows:

3       (1) The criminal justice treatment account is created in the  
4 state treasury. Moneys in the account may be expended solely for: (a)  
5 Substance use disorder treatment and treatment support services for  
6 offenders with a substance use disorder that, if not treated, would  
7 result in addiction, against whom charges are filed by a prosecuting  
8 attorney in Washington state; (b) the provision of substance use  
9 disorder treatment services and treatment support services for  
10 nonviolent offenders within a drug court program; and (c) the  
11 administrative and overhead costs associated with the operation of a  
12 drug court. Amounts provided in this subsection must be used for  
13 treatment and recovery support services for criminally involved  
14 offenders and authorization of these services shall not be subject to  
15 determinations of medical necessity. During the 2019-2021 and  
16 2021-2023 fiscal biennia, funding from the criminal justice treatment  
17 account may be used to provide treatment and support services through  
18 the conclusion of an individual's treatment plan to individuals  
19 participating in a drug court program as of February 24, 2021, if  
20 that individual wishes to continue treatment following dismissal of  
21 charges they were facing under RCW 69.50.4013(1). Such participation  
22 is voluntary and contingent upon substantial compliance with drug  
23 court program requirements. (~~During the 2019-2021 and 2021-2023~~  
24 ~~fiscal biennia, the~~) The legislature may appropriate from the  
25 account for municipal drug courts and increased treatment options.  
26 During the 2019-2021 fiscal biennium, the legislature may direct the  
27 state treasurer to make transfers of moneys in the criminal justice  
28 treatment account to the home security fund account created in RCW  
29 43.185C.060. Moneys in the account may be spent only after  
30 appropriation.

31       (2) For purposes of this section:

32       (a) "Treatment" means services that are critical to a  
33 participant's successful completion of his or her substance use  
34 disorder treatment program, including but not limited to the recovery  
35 support and other programmatic elements outlined in RCW 2.30.030  
36 authorizing therapeutic courts; and

37       (b) "Treatment support" includes transportation to or from  
38 inpatient or outpatient treatment services when no viable alternative  
39 exists, and child care services that are necessary to ensure a  
40 participant's ability to attend outpatient treatment sessions.

1 (3) Revenues to the criminal justice treatment account consist  
2 of: (a) Funds transferred to the account pursuant to this section;  
3 and (b) any other revenues appropriated to or deposited in the  
4 account.

5 (4)(a) For the fiscal year beginning July 1, 2005, and each  
6 subsequent fiscal year, the state treasurer shall transfer eight  
7 million two hundred fifty thousand dollars from the general fund to  
8 the criminal justice treatment account, divided into four equal  
9 quarterly payments. For the fiscal year beginning July 1, 2006, and  
10 each subsequent fiscal year, the amount transferred shall be  
11 increased on an annual basis by the implicit price deflator as  
12 published by the federal bureau of labor statistics.

13 (b) In each odd-numbered year, the legislature shall appropriate  
14 the amount transferred to the criminal justice treatment account in  
15 (a) of this subsection to the department for the purposes of  
16 subsection (5) of this section.

17 (5) Moneys appropriated to the authority from the criminal  
18 justice treatment account shall be distributed as specified in this  
19 subsection. The authority may retain up to three percent of the  
20 amount appropriated under subsection (4)(b) of this section for its  
21 administrative costs.

22 (a) Seventy percent of amounts appropriated to the authority from  
23 the account shall be distributed to counties pursuant to the  
24 distribution formula adopted under this section. The authority, in  
25 consultation with the department of corrections, the Washington state  
26 association of counties, the Washington state association of drug  
27 court professionals, the superior court judges' association, the  
28 Washington association of prosecuting attorneys, representatives of  
29 the criminal defense bar, representatives of substance use disorder  
30 treatment providers, and any other person deemed by the authority to  
31 be necessary, shall establish a fair and reasonable methodology for  
32 distribution to counties of moneys in the criminal justice treatment  
33 account. County or regional plans submitted for the expenditure of  
34 formula funds must be approved by the panel established in (b) of  
35 this subsection.

36 (b) Thirty percent of the amounts appropriated to the authority  
37 from the account shall be distributed as grants for purposes of  
38 treating offenders against whom charges are filed by a county  
39 prosecuting attorney. The authority shall appoint a panel of  
40 representatives from the Washington association of prosecuting

1 attorneys, the Washington association of sheriffs and police chiefs,  
2 the superior court judges' association, the Washington state  
3 association of counties, the Washington defender's association or the  
4 Washington association of criminal defense lawyers, the department of  
5 corrections, the Washington state association of drug court  
6 professionals, and substance use disorder treatment providers. The  
7 panel shall review county or regional plans for funding under (a) of  
8 this subsection and grants approved under this subsection. The panel  
9 shall attempt to ensure that treatment as funded by the grants is  
10 available to offenders statewide.

11 (6) The county alcohol and drug coordinator, county prosecutor,  
12 county sheriff, county superior court, a substance abuse treatment  
13 provider appointed by the county legislative authority, a member of  
14 the criminal defense bar appointed by the county legislative  
15 authority, and, in counties with a drug court, a representative of  
16 the drug court shall jointly submit a plan, approved by the county  
17 legislative authority or authorities, to the panel established in  
18 subsection (5)(b) of this section, for disposition of all the funds  
19 provided from the criminal justice treatment account within that  
20 county. The submitted plan should incorporate current evidence-based  
21 practices in substance use disorder treatment. The funds shall be  
22 used solely to provide approved alcohol and substance use disorder  
23 treatment pursuant to RCW 71.24.560 and treatment support services.  
24 No more than ten percent of the total moneys received under  
25 subsections (4) and (5) of this section by a county or group of  
26 counties participating in a regional agreement shall be spent for  
27 treatment support services.

28 (7) Counties are encouraged to consider regional agreements and  
29 submit regional plans for the efficient delivery of treatment under  
30 this section.

31 (8) Moneys allocated under this section shall be used to  
32 supplement, not supplant, other federal, state, and local funds used  
33 for substance abuse treatment.

34 (9) If a region or county uses criminal justice treatment account  
35 funds to support a therapeutic court, the therapeutic court must  
36 allow the use of all medications approved by the federal food and  
37 drug administration for the treatment of opioid use disorder as  
38 deemed medically appropriate for a participant by a medical  
39 professional. If appropriate medication-assisted treatment resources  
40 are not available or accessible within the jurisdiction, the health

1 care authority's designee for assistance must assist the court with  
2 acquiring the resource.

3 (10) Counties must meet the criteria established in RCW  
4 2.30.030(3).

5 (11) The authority shall annually review and monitor the  
6 expenditures made by any county or group of counties that receives  
7 appropriated funds distributed under this section. Counties shall  
8 repay any funds that are not spent in accordance with the  
9 requirements of its contract with the authority.

10 **Sec. 17.** RCW 79.105.150 and 2021 c 334 s 996 and 2021 c 209 s 16  
11 are each reenacted and amended to read as follows:

12 (1) After deduction for management costs as provided in RCW  
13 79.64.040 and payments to towns under RCW 79.115.150(2), all moneys  
14 received by the state from the sale or lease of state-owned aquatic  
15 lands and from the sale of valuable material from state-owned aquatic  
16 lands shall be deposited in the aquatic lands enhancement account  
17 which is hereby created in the state treasury. After appropriation,  
18 these funds shall be used solely for aquatic lands enhancement  
19 projects; for the purchase, improvement, or protection of aquatic  
20 lands for public purposes; for providing and improving access to the  
21 lands; and for volunteer cooperative fish and game projects. (~~During~~  
22 ~~the 2017-2019, 2019-2021, and 2021-2023 fiscal biennia, the~~) The  
23 aquatic lands enhancement account may be used to support the  
24 shellfish program, the ballast water program, hatcheries, the Puget  
25 Sound toxic sampling program and steelhead mortality research at the  
26 department of fish and wildlife, the knotweed program at the  
27 department of agriculture, actions at the University of Washington  
28 for reducing ocean acidification, which may include the creation of a  
29 center on ocean acidification, the Puget SoundCorps program, and  
30 support of the marine resource advisory council and the Washington  
31 coastal marine advisory council. During the 2017-2019 and 2019-2021  
32 fiscal biennia, the legislature may transfer from the aquatic lands  
33 enhancement account to the geoduck aquaculture research account for  
34 research related to shellfish aquaculture. During the 2015-2017  
35 fiscal biennium, the legislature may transfer moneys from the aquatic  
36 lands enhancement account to the marine resources stewardship trust  
37 account.

38 (2) In providing grants for aquatic lands enhancement projects,  
39 the recreation and conservation funding board shall:

1 (a) Require grant recipients to incorporate the environmental  
2 benefits of the project into their grant applications;

3 (b) Utilize the statement of environmental benefits,  
4 consideration, except as provided in RCW 79.105.610, of whether the  
5 applicant is a Puget Sound partner, as defined in RCW 90.71.010,  
6 whether a project is referenced in the action agenda developed by the  
7 Puget Sound partnership under RCW 90.71.310, and except as otherwise  
8 provided in RCW 79.105.630, and effective one calendar year following  
9 the development and statewide availability of urban forestry  
10 management plans and ordinances under RCW 76.15.090, whether the  
11 applicant is an entity that has been recognized, and what gradation  
12 of recognition was received, in the evergreen community designation  
13 program created in RCW 76.15.090 in its prioritization and selection  
14 process; and

15 (c) Develop appropriate outcome-focused performance measures to  
16 be used both for management and performance assessment of the grants.

17 (3) To the extent possible, the department should coordinate its  
18 performance measure system with other natural resource-related  
19 agencies as defined in RCW 43.41.270.

20 (4) The department shall consult with affected interest groups in  
21 implementing this section.

22 (5) Any project designed to address the restoration of Puget  
23 Sound may be funded under this chapter only if the project is not in  
24 conflict with the action agenda developed by the Puget Sound  
25 partnership under RCW 90.71.310.

26 **Sec. 18.** RCW 82.08.170 and 2021 c 334 s 998 are each amended to  
27 read as follows:

28 (1) Except as provided in subsections (4) and (5) of this  
29 section, during the months of January, April, July, and October of  
30 each year, the state treasurer must make the transfers required under  
31 subsections (2) and (3) of this section from the liquor excise tax  
32 fund and then the apportionment and distribution of all remaining  
33 moneys in the liquor excise tax fund to the counties, cities, and  
34 towns in the following proportions: (a) Twenty percent of the moneys  
35 in the liquor excise tax fund must be divided among and distributed  
36 to the counties of the state in accordance with the provisions of RCW  
37 66.08.200; and (b) eighty percent of the moneys in the liquor excise  
38 tax fund must be divided among and distributed to the cities and



1 towns of the state in accordance with the provisions of RCW  
2 66.08.210.

3 (2) Each fiscal quarter and prior to making the twenty percent  
4 distribution to counties under subsection (1)(a) of this section, the  
5 treasurer shall transfer to the liquor revolving fund created in RCW  
6 66.08.170 sufficient moneys to fund the allotments from any  
7 legislative appropriations for county research and services as  
8 provided under chapter 43.110 RCW.

9 (3) During the months of January, April, July, and October of  
10 each year, the state treasurer must transfer two million five hundred  
11 thousand dollars from the liquor excise tax fund to the state general  
12 fund.

13 (4) During calendar year 2012, the October distribution under  
14 subsection (1) of this section and the July and October transfers  
15 under subsections (2) and (3) of this section must not be made.  
16 During calendar year 2013, the January, April, and July distributions  
17 under subsection (1) of this section and transfers under subsections  
18 (2) and (3) of this section must not be made.

19 (5) (~~During the 2015-2017, 2019-2021, and 2021-2023 fiscal~~  
20 ~~biennia, the~~) The liquor excise tax fund may be appropriated for the  
21 local government fiscal note program in the department of commerce.  
22 (~~It is the intent of the legislature to continue this policy in the~~  
23 ~~subsequent fiscal biennium.~~)

24 **Sec. 19.** RCW 82.14.310 and 2021 c 334 s 999 and 2021 c 296 s 2  
25 are each reenacted and amended to read as follows:

26 (1) The county criminal justice assistance account is created in  
27 the state treasury. Beginning in fiscal year 2000, the state  
28 treasurer must transfer into the county criminal justice assistance  
29 account from the general fund the sum of \$23,200,000 divided into  
30 four equal deposits occurring on July 1, October 1, January 1, and  
31 April 1. For each fiscal year thereafter, the state treasurer must  
32 increase the total transfer by the fiscal growth factor, as defined  
33 in RCW 43.135.025, forecast for that fiscal year by the office of  
34 financial management in November of the preceding year.

35 (2) The moneys deposited in the county criminal justice  
36 assistance account for distribution under this section, less any  
37 moneys appropriated for purposes under subsections (4) and (5) of  
38 this section, must be distributed at such times as distributions are

1 made under RCW 82.44.150 and on the relative basis of each county's  
2 funding factor as determined under this subsection.

3 (a) A county's funding factor is the sum of:

4 (i) The population of the county, divided by 1,000, and  
5 multiplied by two-tenths;

6 (ii) The crime rate of the county, multiplied by three-tenths;  
7 and

8 (iii) The annual number of criminal cases filed in the county  
9 superior court, for each 1,000 in population, multiplied by five-  
10 tenths.

11 (b) Under this section and RCW 82.14.320 and 82.14.330:

12 (i) The population of the county or city is as last determined by  
13 the office of financial management;

14 (ii) The crime rate of the county or city is the annual  
15 occurrence of specified criminal offenses, as calculated in the most  
16 recent annual report on crime in Washington state as published by the  
17 Washington association of sheriffs and police chiefs, for each 1,000  
18 in population;

19 (iii) The annual number of criminal cases filed in the county  
20 superior court must be determined by the most recent annual report of  
21 the courts of Washington, as published by the administrative office  
22 of the courts;

23 (iv) Distributions and eligibility for distributions in the  
24 1989-1991 biennium must be based on 1988 figures for both the crime  
25 rate as described under (~~(b)~~) (b)(ii) of this subsection and the  
26 annual number of criminal cases that are filed as described under  
27 (~~(b)~~) (b)(iii) of this subsection. Future distributions must be  
28 based on the most recent figures for both the crime rate as described  
29 under (~~(b)~~) (b)(ii) of this subsection and the annual number of  
30 criminal cases that are filed as described under (~~(b)~~) (b)(iii)  
31 of this subsection.

32 (3) Moneys distributed under this section must be expended  
33 exclusively for criminal justice purposes. Except after May 13, 2021,  
34 through December 31, 2023, these funds may not be used to replace or  
35 supplant existing funding. Criminal justice purposes are defined as  
36 activities that substantially assist the criminal justice system,  
37 which may include circumstances where ancillary benefit to the civil  
38 or juvenile justice system occurs, and which includes (a) domestic  
39 violence services such as those provided by domestic violence  
40 programs, community advocates, and legal advocates, as defined in RCW

1 70.123.020, and (b) during the 2001-2003 fiscal biennium, juvenile  
2 dispositional hearings relating to petitions for at-risk youth,  
3 truancy, and children in need of services. Existing funding for  
4 purposes of this subsection is defined as calendar year 1989 actual  
5 operating expenditures for criminal justice purposes. Calendar year  
6 1989 actual operating expenditures for criminal justice purposes  
7 exclude the following: Expenditures for extraordinary events not  
8 likely to reoccur, changes in contract provisions for criminal  
9 justice services, beyond the control of the local jurisdiction  
10 receiving the services, and major nonrecurring capital expenditures.

11 (4) Not more than five percent of the funds deposited to the  
12 county criminal justice assistance account may be available for  
13 appropriations for enhancements to the state patrol crime laboratory  
14 system and the continuing costs related to these enhancements. Funds  
15 appropriated from this account for such enhancements may not supplant  
16 existing funds from the state general fund.

17 (5) (~~During the 2017-2019 fiscal biennium, the sum of \$153,000,~~  
18 ~~and during the 2019-2021 and 2021-2023 fiscal biennia~~) Each fiscal  
19 biennium, the sum of \$510,000, may be appropriated for the Washington  
20 state patrol to provide investigative assistance and report services  
21 to assist local law enforcement agencies to prosecute criminals. (~~It~~  
22 ~~is the intent of the legislature that this policy will be continued~~  
23 ~~in subsequent fiscal biennia.~~)

24 **Sec. 20.** RCW 90.50A.090 and 2021 c 334 s 1000 are each amended  
25 to read as follows:

26 (1) The water pollution control revolving administration account  
27 is created in the state treasury. All receipts from charges  
28 authorized in this section must be deposited in the account. Moneys  
29 in the account may be spent only after appropriation. Expenditures  
30 from the account may be used only in a manner consistent with this  
31 section.

32 (2) The department is authorized to assess administration charges  
33 as a portion of the debt service for loans issued under the water  
34 pollution control revolving fund created in RCW 90.50A.020. The sole  
35 purpose of assessing administration charges is to predictably and  
36 adequately fund the department's costs of administering the water  
37 pollution control revolving fund loan program, as identified in  
38 subsection (5) of this section. The department must assess  
39 administration charges on each water pollution control revolving fund

1 loan at the point the loan enters repayment status, after July 28,  
2 2013, and rule changes are adopted to implement the administration  
3 charge. Loans that are at an interest rate below the established  
4 administration charge rate are exempt from the administration charge.

5 (3) The water pollution control revolving administration account  
6 consists of:

7 (a) Any administration charge levied by the department in  
8 conjunction with administration of the water pollution control  
9 revolving fund; and

10 (b) Any other revenues derived from gifts, grants, or bequests  
11 pledged to the state for the purpose of administering the water  
12 pollution control revolving fund.

13 (4) The state treasurer may invest and reinvest moneys in the  
14 water pollution control revolving administration account in the  
15 manner provided by law. All earnings from such investment and  
16 reinvestment must be credited to the water pollution control  
17 revolving administration account.

18 (5) Moneys in the water pollution control revolving  
19 administration account are to be used for the following water  
20 pollution control revolving fund loan program costs:

21 (a) Administration costs associated with conducting application  
22 processes, managing contracts, collecting loan repayments, managing  
23 the revolving fund, providing technical assistance, and meeting state  
24 and federal reporting requirements; and

25 (b) Information and data system costs associated with loan  
26 tracking and fund management.

27 (6) Each biennium, the department may spend from the water  
28 pollution control revolving administration account an amount no  
29 greater than four percent of the water pollution control revolving  
30 fund new capital appropriation.

31 (7) For its 2017-2019 biennial operating budget submittal, and  
32 every biennium thereafter, the department must compare the projected  
33 water pollution control revolving administration account balance and  
34 the projected administration charge income with projected program  
35 costs, including an adequate working capital reserve as defined by  
36 the office of financial management. In its submittal to the office of  
37 financial management, the department may:

38 (a) Find that the projected administration charge income is  
39 inadequate to fund the cost of administering the program, and that  
40 the rate of the charge must be increased. However, the administration

1 charge may never exceed one percent on the declining principal loan  
2 balance;

3 (b) Find that the projected administration charge income exceeds  
4 what is needed to fund the cost of administering the program, and  
5 that the rate of the charge must be decreased;

6 (c) Find that there is an excess balance in the revolving  
7 administration account, and that the excess must be transferred to  
8 the water pollution control revolving fund to be used for loans; or

9 (d) Find that there is no need for any rate adjustments or  
10 balance transfers.

11 (8) At the point where the water pollution control revolving  
12 administration account adequately covers the program administration  
13 costs, the department may no longer use the federal administration  
14 allowance. If a federal capitalization grant is awarded after that  
15 point, all federal capitalization dollars must be used for making  
16 loans.

17 (9) By December 1, 2018, the department must submit to the  
18 appropriate legislative fiscal committees a report on implementation  
19 of the administration charge, including information on: The amount of  
20 income the administration charge has produced since its inception;  
21 the uses and adequacy of the income for administrative costs; any  
22 excess balances that have been transferred to the water pollution  
23 control revolving fund; and any additional sources that the  
24 department is using for program administration.

25 (10) (~~During the 2019-2021 and 2021-2023 fiscal biennia, the~~)  
26 The legislature may direct the state treasurer to make transfers of  
27 moneys in the water pollution control revolving administration  
28 account to the water pollution control revolving fund.

29 NEW SECTION. **Sec. 21.** The following acts or parts of acts are  
30 each repealed:

31 (1) RCW 43.60A.153 (Veterans conservation corps account) and 2007  
32 c 451 s 6; and

33 (2) RCW 43.79.467 (Dedicated McCleary penalty account) and 2018 c  
34 299 s 920.

35 NEW SECTION. **Sec. 22.** The special personnel litigation  
36 revolving account created in chapter 372, Laws of 2006 is eliminated.

1        NEW SECTION.    **Sec. 23.**    Section 2 of this act takes effect  
2    January 1, 2023.

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