
SENATE BILL 5314

State of Washington

68th Legislature

2023 Regular Session

By Senators J. Wilson, Cleveland, Nobles, and Randall

Read first time 01/12/23. Referred to Committee on Transportation.

1 AN ACT Relating to electric-assisted bicycle use on certain
2 trails and roads; amending RCW 46.01.370, 43.84.092, and 43.84.092;
3 reenacting and amending RCW 46.61.710; adding new sections to chapter
4 79A.80 RCW; prescribing penalties; providing an effective date; and
5 providing an expiration date.

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

7 **Sec. 1.** RCW 46.61.710 and 2019 c 214 s 19 and 2019 c 170 s 3 are
8 each reenacted and amended to read as follows:

9 (1) No person shall operate a moped upon the highways of this
10 state unless the moped has been assigned a moped registration number
11 and displays a moped permit in accordance with RCW 46.16A.405(2).

12 (2) Notwithstanding any other provision of law, a moped may not
13 be operated on a bicycle path or trail, bikeway, equestrian trail, or
14 hiking or recreational trail.

15 (3) Operation of a moped, electric personal assistive mobility
16 device, or motorized foot scooter on a fully controlled limited
17 access highway is unlawful. Operation of a personal delivery device
18 on any part of a highway other than a sidewalk or crosswalk is
19 unlawful, except as provided in RCW 46.61.240(2) and 46.61.250(2).
20 Operation of a moped on a sidewalk is unlawful. Operation of a
21 motorized foot scooter or class 3 electric-assisted bicycle on a

1 sidewalk is unlawful, unless there is no alternative for a motorized
2 foot scooter or a class 3 electric-assisted bicycle to travel over a
3 sidewalk as part of a bicycle or pedestrian path, or if authorized by
4 local ordinance, as provided in RCW 46.61.715.

5 (4) Removal of any muffling device or pollution control device
6 from a moped is unlawful.

7 (5) Subsections (1), (2), and (4) of this section do not apply to
8 electric-assisted bicycles.

9 (6) Electric-assisted bicycles and motorized foot scooters may
10 have access to highways of the state and may be parked to the same
11 extent as bicycles, subject to RCW 46.61.160.

12 (7) Subject to subsection (10) of this section, class 1 and class
13 2 electric-assisted bicycles and motorized foot scooters may be
14 operated on a shared-use path or any part of a highway designated for
15 the use of bicycles, but local jurisdictions or state agencies may
16 restrict or otherwise limit the access of electric-assisted bicycles
17 and motorized foot scooters, and local jurisdictions or state
18 agencies may regulate the use of class 1 and class 2 electric-
19 assisted bicycles and motorized foot scooters on facilities,
20 properties, and rights-of-way under their jurisdiction and control.
21 Local regulation of the operation of class 1 or class 2 electric-
22 assisted bicycles, upon a shared use path designated for the use of
23 bicycles that crosses jurisdictional boundaries of two or more local
24 jurisdictions, must be consistent for the entire shared use path in
25 order for the local regulation to be enforceable; however, this does
26 not apply to local regulations of a shared use path in effect as of
27 January 1, 2018.

28 (8) Class 3 electric-assisted bicycles may be operated on
29 facilities that are within or adjacent to a highway. Class 3
30 electric-assisted bicycles may not be operated on a shared-use path,
31 except where local jurisdictions may allow the use of class 3
32 electric-assisted bicycles. ~~((State))~~ Subject to subsection (9) of
33 this section, state agencies or local jurisdictions may regulate the
34 use of class 3 electric-assisted bicycles on facilities and
35 properties under their jurisdiction and control. Local regulation of
36 the operation of class 3 electric-assisted bicycles, upon a shared
37 use path designated for the use of bicycles that crosses
38 jurisdictional boundaries of two or more local jurisdictions, must be
39 consistent for the entire shared use path in order for the local

1 regulation to be enforceable; however, this does not apply to local
2 regulations of a shared use path in effect as of January 1, 2018.

3 (9) (a) (i) (A) An agency having jurisdiction over a trail that is
4 specifically designated as nonmotorized, has a natural surface tread
5 that is made by clearing and grading the native soil with no added
6 surfacing materials, and is open to bicycles must allow the operation
7 of electric-assisted bicycles as defined in RCW 46.04.169, and
8 consider an electric-assisted bicycle as a nonmotorized vehicle, on
9 the trail to the same extent a bicycle is allowed to be operated upon
10 the trail.

11 (B) Such agency having jurisdiction over the trail may close the
12 trail to bicycles, including electric-assisted bicycles, to protect
13 wildlife or natural resources or, if necessary, preserve public
14 safety. Such a closure must be made through an open public process by
15 the agency having jurisdiction.

16 (ii) An agency having jurisdiction over a road closed to
17 motorized vehicles but where nonmotorized access to such roads for
18 bicycles is allowed must also allow the operation of electric-
19 assisted bicycles as defined in RCW 46.04.169 and treat them as a
20 nonmotorized vehicle.

21 (iii) A person operating an electric-assisted bicycle on a trail
22 or closed road where bicycle use is permitted as authorized under
23 this subsection (9) (a) shall obey all speed limits, yield the right-
24 of-way to pedestrians, and carry on their person an electric-assisted
25 bicycle pass as required under section 2 of this act.

26 (iv) For purposes of this subsection, "agency" has the same
27 meaning as defined in RCW 79A.80.010.

28 (b) Except as otherwise provided in this section, an individual
29 shall not operate ((an electric-assisted bicycle or)) a motorized
30 foot scooter on a trail that is specifically designated as
31 nonmotorized and that has a natural surface tread that is made by
32 clearing and grading the native soil with no added surfacing
33 materials. A local authority or agency of this state having
34 jurisdiction over a trail described in this subsection may allow the
35 operation of ((an electric-assisted bicycle or)) a motorized foot
36 scooter on that trail.

37 (10) Subsections (1) and (4) of this section do not apply to
38 motorized foot scooters. Subsection (2) of this section applies to
39 motorized foot scooters when the bicycle path, trail, bikeway,
40 equestrian trail, or hiking or recreational trail was built or is

1 maintained with federal highway transportation funds. Additionally,
2 any new trail or bicycle path or readily identifiable existing trail
3 or bicycle path not built or maintained with federal highway
4 transportation funds may be used by persons operating motorized foot
5 scooters only when signed to allow motorized foot scooter use.

6 (11) A person operating an electric personal assistive mobility
7 device (EPAMD) shall obey all speed limits and shall yield the right-
8 of-way to pedestrians and human-powered devices at all times. An
9 operator must also give an audible signal before overtaking and
10 passing a pedestrian. Except for the limitations of this subsection,
11 persons operating an EPAMD have all the rights and duties of a
12 pedestrian.

13 (12) The use of an EPAMD may be regulated in the following
14 circumstances:

15 (a) A municipality and the department of transportation may
16 prohibit the operation of an EPAMD on public highways within their
17 respective jurisdictions where the speed limit is greater than
18 (~~twenty-five~~) 25 miles per hour;

19 (b) A municipality may restrict the speed of an EPAMD in
20 locations with congested pedestrian or nonmotorized traffic and where
21 there is significant speed differential between pedestrians or
22 nonmotorized traffic and EPAMD operators. The areas in this
23 subsection must be designated by the city engineer or designee of the
24 municipality. Municipalities shall not restrict the speed of an EPAMD
25 in the entire community or in areas in which there is infrequent
26 pedestrian traffic;

27 (c) A state agency or local government may regulate the operation
28 of an EPAMD within the boundaries of any area used for recreation,
29 open space, habitat, trails, or conservation purposes.

30 NEW SECTION. **Sec. 2.** A new section is added to chapter 79A.80
31 RCW to read as follows:

32 (1) An electric-assisted bicycle pass is required for any person
33 to operate an electric-assisted bicycle on agency facilities as
34 authorized in RCW 46.61.710(9)(a). An electric-assisted bicycle pass
35 may be made available for purchase:

36 (a) Through vendors under contract with one or more of the
37 agencies. The agencies may provide vendors with electric-assisted
38 bicycle passes at the sales price established under subsection (2) of
39 this section; or

1 (b) From the department of licensing as provided in RCW
2 46.01.370.

3 (2) The cost of an electric-assisted bicycle pass is \$5. All
4 revenue from the purchase of an electric-assisted bicycle pass must
5 be deposited in the electric-assisted bicycle account created in
6 section 3 of this act.

7 (3)(a) An electric-assisted bicycle pass is valid for one year
8 beginning from the date that the pass is marked for activation.

9 (b) A pass is valid only for use with one electric-assisted
10 bicycle at a time and must be carried on the person operating the
11 electric-assisted bicycle.

12 (c)(i) Failure to comply with (a) or (b) of this subsection is a
13 natural resource infraction under chapter 7.84 RCW. An agency is
14 authorized to issue a notice of infraction to any person who fails to
15 comply with (a) or (b) of this subsection.

16 (ii) The penalty for failure to comply with the requirements of
17 (a) or (b) of this subsection is \$99. This penalty may be reduced to
18 \$59 if an individual provides proof of purchase of an electric-
19 assisted bicycle pass to the court within 15 days after the issuance
20 of the notice of violation. The county treasurer shall remit 75
21 percent of the money received under this subsection to the state
22 treasurer for deposit into the electric-assisted bicycle account
23 created in section 3 of this act. The balance of noninterest money
24 received by the county treasurer must be deposited in the county
25 current expense fund.

26 (iii) Penalty amounts received must be deposited into the
27 electric-assisted bicycle account created in section 3 of this act.

28 NEW SECTION. **Sec. 3.** A new section is added to chapter 79A.80
29 RCW to read as follows:

30 (1) The electric-assisted bicycle account is created in the state
31 treasury. All moneys received from the sale of the electronic-
32 assisted bicycle pass and penalty amounts under section 2 of this act
33 must be deposited into the account. Each fiscal biennium, all
34 revenues to the account must be distributed equally among the
35 agencies for the purposes described under subsection (2) of this
36 section.

37 (2) Expenditures from the electric-assisted bicycle account may
38 only be used for:

- 1 (a) Maintenance of facilities described in RCW 46.61.710(9)(a)
2 (i) and (iii);
3 (b) Signage that describes speed limits and other rules for
4 operating an electric-assisted bicycle on the facilities described in
5 RCW 46.61.710(9)(a)(i) and (iii); and
6 (c) Educational materials on the use of electric-assisted
7 bicycles on the facilities described in RCW 46.61.710(9)(a)(i) and
8 (iii).

9 **Sec. 4.** RCW 46.01.370 and 2012 c 261 s 11 are each amended to
10 read as follows:

11 The department may, in coordination with the state parks and
12 recreation commission, offer for sale and distribute discover passes
13 (~~and~~), day-use permits, and electric-assisted bicycle passes, as
14 provided in chapter 79A.80 RCW, at the department's drivers' licenses
15 offices. Any amounts collected by the department through the sales of
16 discover passes and day-use permits must be deposited in the
17 recreation access pass account created in RCW 79A.80.090. Any amounts
18 collected by the department through the sales of electric-assisted
19 bicycle passes must be deposited in the electric-assisted bicycle
20 account created in section 3 of this act.

21 **Sec. 5.** RCW 43.84.092 and 2022 c 182 s 403 are each amended to
22 read as follows:

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

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

1 this subsection. Refunds or allocations shall occur prior to the
2 distributions of earnings set forth in subsection (4) of this
3 section.

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

13 (4) Monthly, the state treasurer shall distribute the earnings
14 credited to the treasury income account. The state treasurer shall
15 credit the general fund with all the earnings credited to the
16 treasury income account except:

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

1 water assistance account, the early learning facilities development
2 account, the early learning facilities revolving account, the Eastern
3 Washington University capital projects account, the education
4 construction fund, the education legacy trust account, the election
5 account, the electric-assisted bicycle account, the electric vehicle
6 account, the energy freedom account, the energy recovery act account,
7 the essential rail assistance account, The Evergreen State College
8 capital projects account, the fair start for kids account, the ferry
9 bond retirement fund, the fish, wildlife, and conservation account,
10 the freight mobility investment account, the freight mobility
11 multimodal account, the grade crossing protective fund, the public
12 health services account, the state higher education construction
13 account, the higher education construction account, the higher
14 education retirement plan supplemental benefit fund, the highway bond
15 retirement fund, the highway infrastructure account, the highway
16 safety fund, the hospital safety net assessment fund, the Interstate
17 405 and state route number 167 express toll lanes account, the
18 judges' retirement account, the judicial retirement administrative
19 account, the judicial retirement principal account, the limited fish
20 and wildlife account, the local leasehold excise tax account, the
21 local real estate excise tax account, the local sales and use tax
22 account, the marine resources stewardship trust account, the medical
23 aid account, the money-purchase retirement savings administrative
24 account, the money-purchase retirement savings principal account, the
25 motor vehicle fund, the motorcycle safety education account, the move
26 ahead WA account, the move ahead WA flexible account, the multimodal
27 transportation account, the multiuse roadway safety account, the
28 municipal criminal justice assistance account, the oyster reserve
29 land account, the pension funding stabilization account, the
30 perpetual surveillance and maintenance account, the pilotage account,
31 the pollution liability insurance agency underground storage tank
32 revolving account, the public employees' retirement system plan 1
33 account, the public employees' retirement system combined plan 2 and
34 plan 3 account, the public facilities construction loan revolving
35 account, the public health supplemental account, the public works
36 assistance account, the Puget Sound capital construction account, the
37 Puget Sound ferry operations account, the Puget Sound Gateway
38 facility account, the Puget Sound taxpayer accountability account,
39 the real estate appraiser commission account, the recreational
40 vehicle account, the regional mobility grant program account, the

1 resource management cost account, the rural arterial trust account,
2 the rural mobility grant program account, the rural Washington loan
3 fund, the sexual assault prevention and response account, the site
4 closure account, the skilled nursing facility safety net trust fund,
5 the small city pavement and sidewalk account, the special category C
6 account, the special wildlife account, the state investment board
7 expense account, the state investment board commingled trust fund
8 accounts, the state patrol highway account, the state reclamation
9 revolving account, the state route number 520 civil penalties
10 account, the state route number 520 corridor account, the statewide
11 broadband account, the statewide tourism marketing account, the
12 supplemental pension account, the Tacoma Narrows toll bridge account,
13 the teachers' retirement system plan 1 account, the teachers'
14 retirement system combined plan 2 and plan 3 account, the tobacco
15 prevention and control account, the tobacco settlement account, the
16 toll facility bond retirement account, the transportation 2003
17 account (nickel account), the transportation equipment fund, the
18 transportation future funding program account, the transportation
19 improvement account, the transportation improvement board bond
20 retirement account, the transportation infrastructure account, the
21 transportation partnership account, the traumatic brain injury
22 account, the University of Washington bond retirement fund, the
23 University of Washington building account, the voluntary cleanup
24 account, the volunteer firefighters' and reserve officers' relief and
25 pension principal fund, the volunteer firefighters' and reserve
26 officers' administrative fund, the vulnerable roadway user education
27 account, the Washington judicial retirement system account, the
28 Washington law enforcement officers' and firefighters' system plan 1
29 retirement account, the Washington law enforcement officers' and
30 firefighters' system plan 2 retirement account, the Washington public
31 safety employees' plan 2 retirement account, the Washington school
32 employees' retirement system combined plan 2 and 3 account, the
33 Washington state patrol retirement account, the Washington State
34 University building account, the Washington State University bond
35 retirement fund, the water pollution control revolving administration
36 account, the water pollution control revolving fund, the Western
37 Washington University capital projects account, the Yakima integrated
38 plan implementation account, the Yakima integrated plan
39 implementation revenue recovery account, and the Yakima integrated
40 plan implementation taxable bond account. Earnings derived from

1 investing balances of the agricultural permanent fund, the normal
2 school permanent fund, the permanent common school fund, the
3 scientific permanent fund, and the state university permanent fund
4 shall be allocated to their respective beneficiary accounts.

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

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

14 **Sec. 6.** RCW 43.84.092 and 2022 c 182 s 404 are each amended to
15 read as follows:

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

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

35 (3) Except for the provisions of RCW 43.84.160, the treasury
36 income account may be utilized for the payment of purchased banking
37 services on behalf of treasury funds including, but not limited to,
38 depository, safekeeping, and disbursement functions for the state
39 treasury and affected state agencies. The treasury income account is

1 subject in all respects to chapter 43.88 RCW, but no appropriation is
2 required for payments to financial institutions. Payments shall occur
3 prior to distribution of earnings set forth in subsection (4) of this
4 section.

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

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

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

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

37 (b) Any state agency that has independent authority over accounts
38 or funds not statutorily required to be held in the state treasury
39 that deposits funds into a fund or account in the state treasury
40 pursuant to an agreement with the office of the state treasurer shall

1 receive its proportionate share of earnings based upon each account's
2 or fund's average daily balance for the period.

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

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

8 NEW SECTION. **Sec. 8.** Section 6 of this act takes effect July 1,
9 2024.

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