
SUBSTITUTE SENATE BILL 6099

State of Washington

68th Legislature

2024 Regular Session

By Senate Ways & Means (originally sponsored by Senators Braun, Kauffman, and Mullet)

READ FIRST TIME 02/05/24.

1 AN ACT Relating to creating the tribal opioid prevention and
2 treatment account; amending RCW 43.79.483; reenacting and amending
3 RCW 43.84.092 and 43.84.092; adding a new section to chapter 43.79
4 RCW; creating a new section; providing effective dates; and providing
5 an expiration date.

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

7 NEW SECTION. **Sec. 1.** The legislature finds that American
8 Indians and Alaska Natives are affected disproportionately by the
9 opioid crisis and that opioid overdose rates are higher for American
10 Indians and Alaska Natives than in any other category by race and
11 ethnicity. Therefore, it is the intent of the legislature to
12 prioritize moneys received from opioid settlements to address
13 specific impacts in tribal communities through the creation of a
14 dedicated tribal opioid prevention and treatment account.

15 **Sec. 2.** RCW 43.79.483 and 2023 c 435 s 5 are each amended to
16 read as follows:

17 (1) The opioid abatement settlement account is created in the
18 state treasury. All settlement receipts and moneys that are
19 designated to be used by the state of Washington to abate the opioid
20 epidemic for state use must be deposited into the account. Money in

1 the account may be spent only after appropriation. Expenditures from
2 the account may only be used for future opioid remediation as
3 provided in the applicable settlement. For purposes of this account,
4 "opioid remediation" means the care, treatment, and other programs
5 and expenditures, designed to: (a) Address the use and abuse of
6 opioid products; (b) treat or mitigate opioid use or related
7 disorders; or (c) mitigate other alleged effects of, including those
8 injured as a result of, the opioid epidemic.

9 (2) All money remaining in the state opioid settlement account
10 established under RCW 43.88.195 must be transferred to the opioid
11 abatement settlement account created in this section.

12 (3) Beginning July 1, 2025, and each fiscal year thereafter, the
13 state treasurer shall transfer into the tribal opioid prevention and
14 treatment account created in section 3 of this act from the opioid
15 abatement settlement account an amount equal to the greater of
16 \$7,750,000 or 20 percent of the settlement receipts and moneys
17 deposited into the opioid abatement settlement account over the prior
18 fiscal year. No transfer shall be required if the average amount of
19 revenue received by the account per fiscal year over the prior two
20 fiscal years is less than \$7,750,000.

21 NEW SECTION. Sec. 3. A new section is added to chapter 43.79
22 RCW to read as follows:

23 The tribal opioid prevention and treatment account is created in
24 the state treasury. All receipts from the transfer directed in RCW
25 43.79.483(3) must be deposited in the account. Moneys in the account
26 may be spent only after appropriation. Expenditures from the account
27 may be used for addressing the impact of the opioid epidemic in
28 tribal communities, including: (1) Prevention and recovery services;
29 (2) treatment programs including medication-assisted treatment; (3)
30 peer services; (4) awareness campaigns and education; and (5) support
31 for first responders.

32 **Sec. 4.** RCW 43.84.092 and 2023 c 435 s 14, 2023 c 431 s 10, 2023
33 c 389 s 10, 2023 c 377 s 7, 2023 c 340 s 10, 2023 c 110 s 3, 2023 c
34 73 s 10, and 2023 c 41 s 4 are each reenacted and amended to read as
35 follows:

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

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

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

26 (4) Monthly, the state treasurer shall distribute the earnings
27 credited to the treasury income account. The state treasurer shall
28 credit the general fund with all the earnings credited to the
29 treasury income account except:

30 (a) The following accounts and funds shall receive their
31 proportionate share of earnings based upon each account's and fund's
32 average daily balance for the period: The abandoned recreational
33 vehicle disposal account, the aeronautics account, the Alaskan Way
34 viaduct replacement project account, the ambulance transport fund,
35 the brownfield redevelopment trust fund account, the budget
36 stabilization account, the capital vessel replacement account, the
37 capitol building construction account, the Central Washington
38 University capital projects account, the charitable, educational,
39 penal and reformatory institutions account, the Chehalis basin
40 account, the Chehalis basin taxable account, the cleanup settlement

1 account, the climate active transportation account, the climate
2 transit programs account, the Columbia river basin water supply
3 development account, the Columbia river basin taxable bond water
4 supply development account, the Columbia river basin water supply
5 revenue recovery account, the common school construction fund, the
6 community forest trust account, the connecting Washington account,
7 the county arterial preservation account, the county criminal justice
8 assistance account, the covenant homeownership account, the deferred
9 compensation administrative account, the deferred compensation
10 principal account, the department of licensing services account, the
11 department of retirement systems expense account, the developmental
12 disabilities community services account, the diesel idle reduction
13 account, the opioid abatement settlement account, the drinking water
14 assistance account, the administrative subaccount of the drinking
15 water assistance account, the early learning facilities development
16 account, the early learning facilities revolving account, the Eastern
17 Washington University capital projects account, the education
18 construction fund, the education legacy trust account, the election
19 account, the electric vehicle account, the energy freedom account,
20 the energy recovery act account, the essential rail assistance
21 account, The Evergreen State College capital projects account, the
22 fair start for kids account, the ferry bond retirement fund, the
23 fish, wildlife, and conservation account, the freight mobility
24 investment account, the freight mobility multimodal account, the
25 grade crossing protective fund, the higher education retirement plan
26 supplemental benefit fund, the Washington student loan account, the
27 highway bond retirement fund, the highway infrastructure account, the
28 highway safety fund, the hospital safety net assessment fund, the
29 Interstate 5 bridge replacement project account, the Interstate 405
30 and state route number 167 express toll lanes account, the judges'
31 retirement account, the judicial retirement administrative account,
32 the judicial retirement principal account, the limited fish and
33 wildlife account, the local leasehold excise tax account, the local
34 real estate excise tax account, the local sales and use tax account,
35 the marine resources stewardship trust account, the medical aid
36 account, the money-purchase retirement savings administrative
37 account, the money-purchase retirement savings principal account, the
38 motor vehicle fund, the motorcycle safety education account, the move
39 ahead WA account, the move ahead WA flexible account, the multimodal
40 transportation account, the multiuse roadway safety account, the

1 municipal criminal justice assistance account, the oyster reserve
2 land account, the pension funding stabilization account, the
3 perpetual surveillance and maintenance account, the pilotage account,
4 the pollution liability insurance agency underground storage tank
5 revolving account, the public employees' retirement system plan 1
6 account, the public employees' retirement system combined plan 2 and
7 plan 3 account, the public facilities construction loan revolving
8 account, the public health supplemental account, the public works
9 assistance account, the Puget Sound capital construction account, the
10 Puget Sound ferry operations account, the Puget Sound Gateway
11 facility account, the Puget Sound taxpayer accountability account,
12 the real estate appraiser commission account, the recreational
13 vehicle account, the regional mobility grant program account, the
14 reserve officers' relief and pension principal fund, the resource
15 management cost account, the rural arterial trust account, the rural
16 mobility grant program account, the rural Washington loan fund, the
17 second injury fund, the sexual assault prevention and response
18 account, the site closure account, the skilled nursing facility
19 safety net trust fund, the small city pavement and sidewalk account,
20 the special category C account, the special wildlife account, the
21 state hazard mitigation revolving loan account, the state investment
22 board expense account, the state investment board commingled trust
23 fund accounts, the state patrol highway account, the state
24 reclamation revolving account, the state route number 520 civil
25 penalties account, the state route number 520 corridor account, the
26 statewide broadband account, the statewide tourism marketing account,
27 the supplemental pension account, the Tacoma Narrows toll bridge
28 account, the teachers' retirement system plan 1 account, the
29 teachers' retirement system combined plan 2 and plan 3 account, the
30 tobacco prevention and control account, the tobacco settlement
31 account, the toll facility bond retirement account, the
32 transportation 2003 account (nickel account), the transportation
33 equipment fund, the JUDY transportation future funding program
34 account, the transportation improvement account, the transportation
35 improvement board bond retirement account, the transportation
36 infrastructure account, the transportation partnership account, the
37 traumatic brain injury account, the tribal opioid prevention and
38 treatment account, the University of Washington bond retirement fund,
39 the University of Washington building account, the voluntary cleanup
40 account, the volunteer firefighters' relief and pension principal

1 fund, the volunteer firefighters' and reserve officers'
2 administrative fund, the vulnerable roadway user education account,
3 the Washington judicial retirement system account, the Washington law
4 enforcement officers' and firefighters' system plan 1 retirement
5 account, the Washington law enforcement officers' and firefighters'
6 system plan 2 retirement account, the Washington public safety
7 employees' plan 2 retirement account, the Washington school
8 employees' retirement system combined plan 2 and 3 account, the
9 Washington state patrol retirement account, the Washington State
10 University building account, the Washington State University bond
11 retirement fund, the water pollution control revolving administration
12 account, the water pollution control revolving fund, the Western
13 Washington University capital projects account, the Yakima integrated
14 plan implementation account, the Yakima integrated plan
15 implementation revenue recovery account, and the Yakima integrated
16 plan implementation taxable bond account. Earnings derived from
17 investing balances of the agricultural permanent fund, the normal
18 school permanent fund, the permanent common school fund, the
19 scientific permanent fund, and the state university permanent fund
20 shall be allocated to their respective beneficiary accounts.

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

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

30 **Sec. 5.** RCW 43.84.092 and 2023 c 435 s 14, 2023 c 431 s 10, 2023
31 c 389 s 10, 2023 c 377 s 7, 2023 c 340 s 10, 2023 c 110 s 3, 2023 c
32 73 s 10, and 2023 c 41 s 4 are each reenacted and amended to read as
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39 federal cash management improvement act of 1990. The treasury income

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3 earnings required by the cash management improvement act. Refunds of
4 interest to the federal treasury required under the cash management
5 improvement act fall under RCW 43.88.180 and shall not require
6 appropriation. The office of financial management shall determine the
7 amounts due to or from the federal government pursuant to the cash
8 management improvement act. The office of financial management may
9 direct transfers of funds between accounts as deemed necessary to
10 implement the provisions of the cash management improvement act, and
11 this subsection. Refunds or allocations shall occur prior to the
12 distributions of earnings set forth in subsection (4) of this
13 section.

14 (3) Except for the provisions of RCW 43.84.160, the treasury
15 income account may be utilized for the payment of purchased banking
16 services on behalf of treasury funds including, but not limited to,
17 depository, safekeeping, and disbursement functions for the state
18 treasury and affected state agencies. The treasury income account is
19 subject in all respects to chapter 43.88 RCW, but no appropriation is
20 required for payments to financial institutions. Payments shall occur
21 prior to distribution of earnings set forth in subsection (4) of this
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26 treasury income account except:

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28 proportionate share of earnings based upon each account's and fund's
29 average daily balance for the period: The abandoned recreational
30 vehicle disposal account, the aeronautics account, the Alaskan Way
31 viaduct replacement project account, the brownfield redevelopment
32 trust fund account, the budget stabilization account, the capital
33 vessel replacement account, the capitol building construction
34 account, the Central Washington University capital projects account,
35 the charitable, educational, penal and reformatory institutions
36 account, the Chehalis basin account, the Chehalis basin taxable
37 account, the cleanup settlement account, the climate active
38 transportation account, the climate transit programs account, the
39 Columbia river basin water supply development account, the Columbia
40 river basin taxable bond water supply development account, the

1 Columbia river basin water supply revenue recovery account, the
2 common school construction fund, the community forest trust account,
3 the connecting Washington account, the county arterial preservation
4 account, the county criminal justice assistance account, the covenant
5 homeownership account, the deferred compensation administrative
6 account, the deferred compensation principal account, the department
7 of licensing services account, the department of retirement systems
8 expense account, the developmental disabilities community services
9 account, the diesel idle reduction account, the opioid abatement
10 settlement account, the drinking water assistance account, the
11 administrative subaccount of the drinking water assistance account,
12 the early learning facilities development account, the early learning
13 facilities revolving account, the Eastern Washington University
14 capital projects account, the education construction fund, the
15 education legacy trust account, the election account, the electric
16 vehicle account, the energy freedom account, the energy recovery act
17 account, the essential rail assistance account, The Evergreen State
18 College capital projects account, the fair start for kids account,
19 the ferry bond retirement fund, the fish, wildlife, and conservation
20 account, the freight mobility investment account, the freight
21 mobility multimodal account, the grade crossing protective fund, the
22 higher education retirement plan supplemental benefit fund, the
23 Washington student loan account, the highway bond retirement fund,
24 the highway infrastructure account, the highway safety fund, the
25 hospital safety net assessment fund, the Interstate 5 bridge
26 replacement project account, the Interstate 405 and state route
27 number 167 express toll lanes account, the judges' retirement
28 account, the judicial retirement administrative account, the judicial
29 retirement principal account, the limited fish and wildlife account,
30 the local leasehold excise tax account, the local real estate excise
31 tax account, the local sales and use tax account, the marine
32 resources stewardship trust account, the medical aid account, the
33 money-purchase retirement savings administrative account, the money-
34 purchase retirement savings principal account, the motor vehicle
35 fund, the motorcycle safety education account, the move ahead WA
36 account, the move ahead WA flexible account, the multimodal
37 transportation account, the multiuse roadway safety account, the
38 municipal criminal justice assistance account, the oyster reserve
39 land account, the pension funding stabilization account, the
40 perpetual surveillance and maintenance account, the pilotage account,

1 the pollution liability insurance agency underground storage tank
2 revolving account, the public employees' retirement system plan 1
3 account, the public employees' retirement system combined plan 2 and
4 plan 3 account, the public facilities construction loan revolving
5 account, the public health supplemental account, the public works
6 assistance account, the Puget Sound capital construction account, the
7 Puget Sound ferry operations account, the Puget Sound Gateway
8 facility account, the Puget Sound taxpayer accountability account,
9 the real estate appraiser commission account, the recreational
10 vehicle account, the regional mobility grant program account, the
11 reserve officers' relief and pension principal fund, the resource
12 management cost account, the rural arterial trust account, the rural
13 mobility grant program account, the rural Washington loan fund, the
14 second injury fund, the sexual assault prevention and response
15 account, the site closure account, the skilled nursing facility
16 safety net trust fund, the small city pavement and sidewalk account,
17 the special category C account, the special wildlife account, the
18 state hazard mitigation revolving loan account, the state investment
19 board expense account, the state investment board commingled trust
20 fund accounts, the state patrol highway account, the state
21 reclamation revolving account, the state route number 520 civil
22 penalties account, the state route number 520 corridor account, the
23 statewide broadband account, the statewide tourism marketing account,
24 the supplemental pension account, the Tacoma Narrows toll bridge
25 account, the teachers' retirement system plan 1 account, the
26 teachers' retirement system combined plan 2 and plan 3 account, the
27 tobacco prevention and control account, the tobacco settlement
28 account, the toll facility bond retirement account, the
29 transportation 2003 account (nickel account), the transportation
30 equipment fund, the JUDY transportation future funding program
31 account, the transportation improvement account, the transportation
32 improvement board bond retirement account, the transportation
33 infrastructure account, the transportation partnership account, the
34 traumatic brain injury account, the tribal opioid prevention and
35 treatment account, the University of Washington bond retirement fund,
36 the University of Washington building account, the voluntary cleanup
37 account, the volunteer firefighters' relief and pension principal
38 fund, the volunteer firefighters' and reserve officers'
39 administrative fund, the vulnerable roadway user education account,
40 the Washington judicial retirement system account, the Washington law

1 enforcement officers' and firefighters' system plan 1 retirement
2 account, the Washington law enforcement officers' and firefighters'
3 system plan 2 retirement account, the Washington public safety
4 employees' plan 2 retirement account, the Washington school
5 employees' retirement system combined plan 2 and 3 account, the
6 Washington state patrol retirement account, the Washington State
7 University building account, the Washington State University bond
8 retirement fund, the water pollution control revolving administration
9 account, the water pollution control revolving fund, the Western
10 Washington University capital projects account, the Yakima integrated
11 plan implementation account, the Yakima integrated plan
12 implementation revenue recovery account, and the Yakima integrated
13 plan implementation taxable bond account. Earnings derived from
14 investing balances of the agricultural permanent fund, the normal
15 school permanent fund, the permanent common school fund, the
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18 (b) Any state agency that has independent authority over accounts
19 or funds not statutorily required to be held in the state treasury
20 that deposits funds into a fund or account in the state treasury
21 pursuant to an agreement with the office of the state treasurer shall
22 receive its proportionate share of earnings based upon each account's
23 or fund's average daily balance for the period.

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

27 NEW SECTION. **Sec. 6.** Section 4 of this act expires July 1,
28 2028.

29 NEW SECTION. **Sec. 7.** (1) Except for section 5 of this act, this
30 act takes effect July 1, 2024.

31 (2) Section 5 of this act takes effect July 1, 2028.

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