

CERTIFICATION OF ENROLLMENT

SENATE BILL 5295

68th Legislature
2023 Regular Session

Passed by the Senate February 15,
2023

Yeas 47 Nays 0

President of the Senate

Passed by the House March 24, 2023

Yeas 96 Nays 0

**Speaker of the House of
Representatives**

Approved

Governor of the State of Washington

CERTIFICATE

I, Sarah Bannister, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SENATE BILL 5295** as passed by the Senate and the House of Representatives on the dates hereon set forth.

Secretary

FILED

**Secretary of State
State of Washington**

SENATE BILL 5295

Passed Legislature - 2023 Regular Session

State of Washington

68th Legislature

2023 Regular Session

By Senators L. Wilson, Rolfes, and Gildon; by request of Office of Financial Management

Read first time 01/11/23. Referred to Committee on Ways & Means.

1 AN ACT Relating to eliminating accounts; amending RCW 43.84.092
2 and 43.84.092; decodifying RCW 43.99N.040; repealing RCW 13.40.466,
3 43.72.902, 43.83.300, 43.83.310, 43.83.320, 43.83.370, and
4 70A.135.100; providing effective dates; providing an expiration date;
5 and declaring an emergency.

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

7 NEW SECTION. **Sec. 1.** The following acts or parts of acts are
8 each repealed:

9 (1) RCW 13.40.466 (Reinvesting in youth account) and 2017 3rd
10 sp.s. c 6 s 619, 2013 2nd sp.s. c 4 s 953, & 2006 c 304 s 4;

11 (2) RCW 43.72.902 (Public health services account) and 2001 2nd
12 sp.s. c 7 s 916, 2000 2nd sp.s. c 1 s 913, 1995 c 43 s 12, & 1993 c
13 492 s 470;

14 (3) RCW 43.83.300 (State higher education construction account)
15 and 2015 1st sp.s. c 4 s 25, 1991 sp.s. c 13 s 45, 1985 c 57 s 11, &
16 1973 1st ex.s. c 135 s 2;

17 (4) RCW 43.83.310 (Higher education construction account) and
18 2015 1st sp.s. c 4 s 26, 1991 sp.s. c 13 s 8, 1985 c 57 s 13, & 1979
19 ex.s. c 253 s 4;

1 (5) RCW 43.83.320 (Higher education reimbursable short-term bond
2 account) and 2015 1st sp.s. c 4 s 41, 2012 c 198 s 4, 1989 1st ex.s.
3 c 14 s 13, 1988 c 36 s 22, 1986 c 103 s 1, & 1985 ex.s. c 4 s 2;

4 (6) RCW 43.83.370 (Fisheries capital projects account) and 2015
5 1st sp.s. c 4 s 37 & 1975-'76 2nd ex.s. c 132 s 4; and

6 (7) RCW 70A.135.100 (Water quality capital account—Expenditures)
7 and 2020 c 20 s 1381, 2010 1st sp.s. c 37 s 948, & 2007 c 233 s 1.

8 NEW SECTION. **Sec. 2.** RCW 43.99N.040 (Stadium and exhibition
9 center construction account) is decodified.

10 **Sec. 3.** RCW 43.84.092 and 2022 c 182 s 403 are each amended to
11 read as follows:

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

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

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

1 prior to distribution of earnings set forth in subsection (4) of this
2 section.

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

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

1 grade crossing protective fund, (~~the public health services account,~~
2 ~~the state higher education construction account, the higher education~~
3 ~~construction account,~~) the higher education retirement plan
4 supplemental benefit fund, the highway bond retirement fund, the
5 highway infrastructure account, the highway safety fund, the hospital
6 safety net assessment fund, the Interstate 405 and state route number
7 167 express toll lanes account, the judges' retirement account, the
8 judicial retirement administrative account, the judicial retirement
9 principal account, the limited fish and wildlife account, the local
10 leasehold excise tax account, the local real estate excise tax
11 account, the local sales and use tax account, the marine resources
12 stewardship trust account, the medical aid account, the money-
13 purchase retirement savings administrative account, the money-
14 purchase retirement savings principal account, the motor vehicle
15 fund, the motorcycle safety education account, the move ahead WA
16 account, the move ahead WA flexible account, the multimodal
17 transportation account, the multiuse roadway safety account, the
18 municipal criminal justice assistance account, the oyster reserve
19 land account, the pension funding stabilization account, the
20 perpetual surveillance and maintenance account, the pilotage account,
21 the pollution liability insurance agency underground storage tank
22 revolving account, the public employees' retirement system plan 1
23 account, the public employees' retirement system combined plan 2 and
24 plan 3 account, the public facilities construction loan revolving
25 account, the public health supplemental account, the public works
26 assistance account, the Puget Sound capital construction account, the
27 Puget Sound ferry operations account, the Puget Sound Gateway
28 facility account, the Puget Sound taxpayer accountability account,
29 the real estate appraiser commission account, the recreational
30 vehicle account, the regional mobility grant program account, the
31 resource management cost account, the rural arterial trust account,
32 the rural mobility grant program account, the rural Washington loan
33 fund, the sexual assault prevention and response account, the site
34 closure account, the skilled nursing facility safety net trust fund,
35 the small city pavement and sidewalk account, the special category C
36 account, the special wildlife account, the state investment board
37 expense account, the state investment board commingled trust fund
38 accounts, the state patrol highway account, the state reclamation
39 revolving account, the state route number 520 civil penalties
40 account, the state route number 520 corridor account, the statewide

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

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

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

4 **Sec. 4.** RCW 43.84.092 and 2022 c 182 s 404 are each amended to
5 read as follows:

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

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

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

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

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

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

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

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

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

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

36 NEW SECTION. **Sec. 5.** (1) Except as provided in subsections (2)
37 and (3) of this section, on or before June 30, 2023, any residual
38 balance remaining in each account repealed in section 1 of this act
39 shall be transferred to the state general fund.

1 (2) On or before June 30, 2023, any residual balance remaining in
2 the water quality capital account shall be transferred to the salmon
3 recovery account.

4 (3) On or before June 30, 2023, any residual balance remaining in
5 the higher education construction account and the state higher
6 education construction account shall be transferred to the community
7 and technical college capital projects account.

8 NEW SECTION. **Sec. 6.** (1) Except for sections 4 and 5 of this
9 act, this act is necessary for the immediate preservation of the
10 public peace, health, or safety, or support of the state government
11 and its existing public institutions, and takes effect July 1, 2023.

12 (2) Section 4 of this act takes effect July 1, 2024.

13 (3) Section 5 of this act is necessary for the immediate
14 preservation of the public peace, health, or safety, or support of
15 the state government and its existing public institutions, and takes
16 effect immediately.

17 NEW SECTION. **Sec. 7.** Section 3 of this act expires July 1,
18 2024.

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