

**RCW 36.29.020 Custodian of moneys—Investing tribal funds—
Investment of funds not required for immediate expenditures—Service
fee.**

(1)(a) The county treasurer shall keep all moneys belonging to the state, or to any county, in his or her own possession until disbursed according to law. The county treasurer shall not place the same in the possession of any person to be used for any purpose; nor shall he or she loan or in any manner use or permit any person to use the same; but it shall be lawful for a county treasurer to deposit any such moneys in any regularly designated qualified public depository. Any municipal corporation may by action of its governing body authorize any of its funds which are not required for immediate expenditure, and which are in the custody of the county treasurer or other municipal corporation treasurer, to be invested by such treasurer.

(b) Subject to the approval of the county treasurer, an authorized tribal official may, when expressly designated by a tribal constitution, ordinance, or resolution as having the authority to invest funds of a qualifying federally recognized tribe or federally recognized political subdivisions thereof, enter into an intergovernmental agreement to invest tribal funds with the county treasurer. Tribal funds invested in this way must be under the control of or in the custody of the tribe or a political subdivision thereof, and the tribe must warrant that the use or disposition of the funds are not subject to, or are used and deposited with, federal approval, and must warrant that the funds are not immediately required to meet current demands.

(c) The county treasurer may invest in savings or time accounts in designated qualified public depositories or in certificates, notes, or bonds of the United States, or other obligations of the United States or its agencies, or of any corporation wholly owned by the government of the United States; in bankers' acceptances purchased on the secondary market, in federal home loan bank notes and bonds, federal land bank bonds and federal national mortgage association notes, debentures and guaranteed certificates of participation, or the obligations of any other government sponsored corporation whose obligations are or may become eligible as collateral for advances to member banks as determined by the board of governors of the federal reserve system or deposit such funds or any portion thereof in investment deposits as defined in RCW 39.58.010 secured by collateral in accordance with the provisions of chapters 39.58 and 39.59 RCW: PROVIDED, Five percent of the earnings, with an annual maximum of \$50, on each transaction authorized by the governing body or authorized tribal official shall be paid as an investment service fee to the office of the county treasurer or other municipal corporation treasurer when the earnings become available to the governing body or tribe: PROVIDED FURTHER, That if such investment service fee amounts to five dollars or less the county treasurer or other municipal corporation treasurer may waive such fee.

(d) If in the judgment of the governing body of the municipal corporation, the authorized tribal official, or the county treasurer it is necessary to redeem or to sell any of the purchased securities before their ultimate maturity date, the governing body or authorized tribal official may, by resolution or by official request, direct the county treasurer pursuant to *RCW 36.29.010(8) to cause such redemption to be had at the redemption value of the securities or to

sell the securities at not less than market value and accrued interest.

(2) Whenever the funds of any municipal corporation which are not required for immediate expenditure are in the custody or control of the county treasurer, and the governing body of such municipal corporation has not taken any action pertaining to the investment of any such funds, the county finance committee shall direct the county treasurer, under the investment policy of the county finance committee, to invest, to the maximum prudent extent, such funds or any portion thereof in savings or time accounts in designated qualified public depositories or in certificates, notes, or bonds of the United States, or other obligations of the United States or its agencies, or of any corporation wholly owned by the government of the United States, in bankers' acceptances purchased on the secondary market, in federal home loan bank notes and bonds, federal land bank bonds and federal national mortgage association notes, debentures and guaranteed certificates of participation, or the obligations of any other government sponsored corporation whose obligations are or may become eligible as collateral for advances to member banks as determined by the board of governors of the federal reserve system or deposit such funds or any portion thereof in investment deposits as defined in RCW 39.58.010 secured by collateral in accordance with the provisions of chapters 39.58 and 39.59 RCW: PROVIDED, That the county treasurer shall have the power to select the specific qualified financial institution in which the funds may be invested. The interest or other earnings from such investments or deposits shall be deposited in the current expense fund of the county and may be used for general county purposes. The investment or deposit and disposition of the interest or other earnings therefrom authorized by this paragraph shall not apply to such funds as may be prohibited by the state Constitution from being so invested or deposited. [2023 c 74 s 1; 1999 c 18 s 4; 1997 c 393 s 4; 1991 c 245 s 5; 1984 c 177 s 7; 1982 c 73 s 1; 1980 c 56 s 1; 1979 c 57 s 1; 1973 1st ex.s. c 140 s 1; 1969 ex.s. c 193 s 26; 1967 c 173 s 1; 1965 c 111 s 2; 1963 c 4 s 36.29.020. Prior: 1961 c 254 s 1; 1895 c 73 s 1; RRS s 4112.]

***Reviser's note:** RCW 36.29.010 was amended by 2023 c 75 s 1, changing subsection (8) to subsection (1)(g).

Construction—Severability—1969 ex.s. c 193: See notes following RCW 39.58.010.

Liability of treasurers and state treasurer for losses on public deposits: RCW 39.58.140.

Public depositories: Chapter 39.58 RCW.