
HOUSE BILL 1604

State of Washington

67th Legislature

2022 Regular Session

By Representatives MacEwen, Barkis, Abbarno, Caldier, Eslick, Robertson, Graham, Corry, Stokesbary, and Chase

Prefiled 12/07/21.

1 AN ACT Relating to dedicating the state sales tax on motor
2 vehicles for transportation; amending RCW 82.08.020, 82.12.020,
3 43.84.092, and 43.84.092; adding a new section to chapter 46.68 RCW;
4 creating a new section; providing effective dates; and providing an
5 expiration date.

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

7 NEW SECTION. **Sec. 1.** It is the intent of the legislature to
8 ensure Washington's transportation infrastructure can support the
9 safe and efficient movement of people and goods. Primary funding for
10 transportation infrastructure efforts comes from the state portion of
11 the fuel tax and fees for registering motor vehicles. This is an
12 unsustainable model of funding in light of the trend to adopt laws
13 that are meant to reduce vehicle miles traveled, reduce the quantity
14 of emissions of greenhouse gases per distance traveled in the
15 transportation sector, and reduce the sale of fossil fuels. There is
16 an immediate need for additional funding to address a backlog in
17 preservation and maintenance on the existing transportation system.
18 The legislature intends to establish an additional funding source
19 that would not be subject to bonding, and therefore offer greater
20 flexibility and efficiency in addressing transportation
21 infrastructure needs. The legislature finds that dedicating the sales

1 tax revenue on vehicle sales to the transportation budget would
2 reinforce the state's ability to provide the twenty-first century
3 transportation system that the people of Washington can and should
4 expect.

5 **Sec. 2.** RCW 82.08.020 and 2014 c 140 s 12 are each amended to
6 read as follows:

7 (1) There is levied and collected a tax equal to six and five-
8 tenths percent of the selling price on each retail sale in this state
9 of:

10 (a) Tangible personal property, unless the sale is specifically
11 excluded from the RCW 82.04.050 definition of retail sale;

12 (b) Digital goods, digital codes, and digital automated services,
13 if the sale is included within the RCW 82.04.050 definition of retail
14 sale;

15 (c) Services, other than digital automated services, included
16 within the RCW 82.04.050 definition of retail sale;

17 (d) Extended warranties to consumers; and

18 (e) Anything else, the sale of which is included within the RCW
19 82.04.050 definition of retail sale.

20 (2) There is levied and collected an additional tax on each
21 retail car rental, regardless of whether the vehicle is licensed in
22 this state, equal to five and nine-tenths percent of the selling
23 price. The revenue collected under this subsection must be deposited
24 in the multimodal transportation account created in RCW 47.66.070.

25 (3) (a) Beginning July 1, 2003, there is levied and collected an
26 additional tax of three-tenths of one percent of the selling price on
27 each retail sale of a motor vehicle in this state, other than retail
28 car rentals taxed under subsection (2) of this section. The revenue
29 collected under this subsection must be deposited in the multimodal
30 transportation account created in RCW 47.66.070.

31 (b) For purposes of this subsection (3), "motor vehicle" has the
32 meaning provided in RCW 46.04.320, but does not include:

33 (i) Farm tractors or farm vehicles as defined in RCW 46.04.180
34 and 46.04.181, unless the farm tractor or farm vehicle is for use in
35 the production of marijuana;

36 (ii) Off-road vehicles as defined in RCW 46.04.365;

37 (iii) Nonhighway vehicles as defined in RCW 46.09.310; and

38 (iv) Snowmobiles as defined in RCW 46.04.546.

1 ~~(4) ((For purposes of subsection (3) of this section, "motor~~
2 ~~vehicle" has the meaning provided in RCW 46.04.320, but does not~~
3 ~~include:~~

4 ~~(a) Farm tractors or farm vehicles as defined in RCW 46.04.180~~
5 ~~and 46.04.181, unless the farm tractor or farm vehicle is for use in~~
6 ~~the production of marijuana;~~

7 ~~(b) Off-road vehicles as defined in RCW 46.04.365;~~

8 ~~(c) Nonhighway vehicles as defined in RCW 46.09.310; and~~

9 ~~(d) Snowmobiles as defined in RCW 46.04.546.)~~ (a) Beginning July
10 1, 2022, and every year thereafter, all revenue collected under
11 subsection (1) of this section on each new and used retail sale of a
12 vehicle in this state, including private party sales, but excluding
13 retail car rentals taxed under subsection (2) of this section, must
14 be deposited into the transportation preservation and maintenance
15 account.

16 (b) For purposes of this subsection (4), "vehicle" has the
17 meaning provided in RCW 46.04.670 including, but not limited to,
18 passenger vehicles, light trucks, commercial vehicles, travel
19 trailers, recreational vehicles, intermittent use trailers,
20 motorcycles, and campers, but "vehicle" does not include:

21 (i) Farm tractors or farm vehicles as defined in RCW 46.04.180
22 and 46.04.181, unless the farm tractor or farm vehicle is for use in
23 the production of marijuana;

24 (ii) Off-road vehicles as defined in RCW 46.04.365;

25 (iii) Nonhighway vehicles as defined in RCW 46.09.310;

26 (iv) Bicycles as defined in RCW 46.04.071; and

27 (v) Snowmobiles as defined in RCW 46.04.546.

28 (5) Beginning on December 8, 2005, 0.16 percent of the taxes
29 collected under subsection (1) of this section must be dedicated to
30 funding comprehensive performance audits required under RCW
31 43.09.470. The revenue identified in this subsection must be
32 deposited in the performance audits of government account created in
33 RCW 43.09.475.

34 (6) The taxes imposed under this chapter apply to successive
35 retail sales of the same property.

36 (7) The rates provided in this section apply to taxes imposed
37 under chapter 82.12 RCW as provided in RCW 82.12.020.

38 **Sec. 3.** RCW 82.12.020 and 2017 c 323 s 520 are each amended to
39 read as follows:

1 (1) There is levied and collected from every person in this state
2 a tax or excise for the privilege of using within this state as a
3 consumer any:

4 (a) Article of tangible personal property acquired by the user in
5 any manner, including tangible personal property acquired at a casual
6 or isolated sale, and including by-products used by the manufacturer
7 thereof, except as otherwise provided in this chapter, irrespective
8 of whether the article or similar articles are manufactured or are
9 available for purchase within this state;

10 (b) Prewritten computer software, regardless of the method of
11 delivery, but excluding prewritten computer software that is either
12 provided free of charge or is provided for temporary use in viewing
13 information, or both;

14 (c) Services defined as a retail sale in RCW 82.04.050 (2) (a) or
15 (g) or (6)(c), excluding services defined as a retail sale in RCW
16 82.04.050(6)(c) that are provided free of charge;

17 (d) Extended warranty; or

18 (e)(i) Digital good, digital code, or digital automated service,
19 including the use of any services provided by a seller exclusively in
20 connection with digital goods, digital codes, or digital automated
21 services, whether or not a separate charge is made for such services.

22 (ii) With respect to the use of digital goods, digital automated
23 services, and digital codes acquired by purchase, the tax imposed in
24 this subsection (1)(e) applies in respect to:

25 (A) Sales in which the seller has granted the purchaser the right
26 of permanent use;

27 (B) Sales in which the seller has granted the purchaser a right
28 of use that is less than permanent;

29 (C) Sales in which the purchaser is not obligated to make
30 continued payment as a condition of the sale; and

31 (D) Sales in which the purchaser is obligated to make continued
32 payment as a condition of the sale.

33 (iii) With respect to digital goods, digital automated services,
34 and digital codes acquired other than by purchase, the tax imposed in
35 this subsection (1)(e) applies regardless of whether or not the
36 consumer has a right of permanent use or is obligated to make
37 continued payment as a condition of use.

38 (2) The provisions of this chapter do not apply in respect to the
39 use of any article of tangible personal property, extended warranty,
40 digital good, digital code, digital automated service, or service

1 taxable under RCW 82.04.050 (2) (a) or (g) or (6)(c), if the sale to,
2 or the use by, the present user or the present user's bailor or donor
3 has already been subjected to the tax under chapter 82.08 RCW or this
4 chapter and the tax has been paid by the present user or by the
5 present user's bailor or donor.

6 (3)(a) Except as provided in this section, payment of the tax
7 imposed by this chapter or chapter 82.08 RCW by one purchaser or user
8 of tangible personal property, extended warranty, digital good,
9 digital code, digital automated service, or other service does not
10 have the effect of exempting any other purchaser or user of the same
11 property, extended warranty, digital good, digital code, digital
12 automated service, or other service from the taxes imposed by such
13 chapters.

14 (b) The tax imposed by this chapter does not apply:

15 (i) If the sale to, or the use by, the present user or his or her
16 bailor or donor has already been subjected to the tax under chapter
17 82.08 RCW or this chapter and the tax has been paid by the present
18 user or by his or her bailor or donor;

19 (ii) In respect to the use of any article of tangible personal
20 property acquired by bailment and the tax has once been paid based on
21 reasonable rental as determined by RCW 82.12.060 measured by the
22 value of the article at time of first use multiplied by the tax rate
23 imposed by chapter 82.08 RCW or this chapter as of the time of first
24 use;

25 (iii) In respect to the use of any article of tangible personal
26 property acquired by bailment, if the property was acquired by a
27 previous bailee from the same bailor for use in the same general
28 activity and the original bailment was prior to June 9, 1961; or

29 (iv) To the use of digital goods or digital automated services,
30 which were obtained through the use of a digital code, if the sale of
31 the digital code to, or the use of the digital code by, the present
32 user or the present user's bailor or donor has already been subjected
33 to the tax under chapter 82.08 RCW or this chapter and the tax has
34 been paid by the present user or by the present user's bailor or
35 donor.

36 (4)(a) Except as provided in (b) of this subsection (4), the tax
37 is levied and must be collected in an amount equal to the value of
38 the article used, value of the digital good or digital code used,
39 value of the extended warranty used, or value of the service used by

1 the taxpayer, multiplied by the applicable rates in effect for the
2 retail sales tax under RCW 82.08.020.

3 (b) In the case of a seller required to collect use tax from the
4 purchaser, the tax must be collected in an amount equal to the
5 purchase price multiplied by the applicable rate in effect for the
6 retail sales tax under RCW 82.08.020.

7 (5) For purposes of the tax imposed in this section, "person"
8 includes anyone within the definition of "buyer," "purchaser," and
9 "consumer" in RCW 82.08.010.

10 (6) Beginning July 1, 2022, and every year thereafter 100 percent
11 of all use tax revenue collected under subsection (1) of this section
12 on the use of each new and used vehicle in this state, but excluding
13 retail car rentals taxed under RCW 82.08.020, must be deposited into
14 the transportation preservation and maintenance account.

15 NEW SECTION. Sec. 4. A new section is added to chapter 46.68
16 RCW to read as follows:

17 (1) The transportation preservation and maintenance account is
18 created in the state treasury. Moneys in the account may be spent
19 only after appropriation. Expenditures from the account may be used
20 only for transportation projects, programs, or activities.

21 (2) All sales and use tax revenues on new and used vehicles
22 deposited into the transportation preservation and maintenance
23 account pursuant to RCW 82.08.020 and 82.12.020 must be used
24 exclusively on a cash funding basis for transportation projects,
25 programs, and activities, including reducing the reliance on
26 transportation-related debt obligations pursuant to subsection (3) of
27 this section. All sales and use tax revenues on new and used vehicles
28 deposited into the transportation preservation and maintenance
29 account pursuant to RCW 82.08.020 and 82.12.020 cannot be used for
30 any new revenue bond issues or used as a source for any other type of
31 debt or similar type of financing mechanism.

32 (3) Part of the purpose in the allocation of additional resources
33 from the sales and use tax revenues on new and used vehicles into the
34 transportation preservation and maintenance account pursuant to RCW
35 82.08.020 and 82.12.020 is to lower the overall reliance on debt
36 financing for transportation projects and infrastructure. Beginning
37 December 1, 2023, and each two years thereafter, the state treasurer
38 must prepare a report that shows the impact of this act on the
39 reliance of debt financing for transportation appropriations.

1 (4) Nothing in this section may be construed so as to violate any
2 terms or conditions contained in any highway construction bond issues
3 now or hereafter authorized by statute and whose payment is by such
4 statute pledged to be paid from any excise taxes on fuel.

5 **Sec. 5.** RCW 43.84.092 and 2021 c 199 s 504 are each amended to
6 read as follows:

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

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

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

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

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

1 administrative account, the judicial retirement principal account,
2 the limited fish and wildlife account, the local leasehold excise tax
3 account, the local real estate excise tax account, the local sales
4 and use tax account, the marine resources stewardship trust account,
5 the medical aid account, the money-purchase retirement savings
6 administrative account, the money-purchase retirement savings
7 principal account, the motor vehicle fund, the motorcycle safety
8 education account, the multimodal transportation account, the
9 multiuse roadway safety account, the municipal criminal justice
10 assistance account, the oyster reserve land account, the pension
11 funding stabilization account, the perpetual surveillance and
12 maintenance account, the pilotage account, the pollution liability
13 insurance agency underground storage tank revolving account, the
14 public employees' retirement system plan 1 account, the public
15 employees' retirement system combined plan 2 and plan 3 account, the
16 public facilities construction loan revolving account, the public
17 health supplemental account, the public works assistance account, the
18 Puget Sound capital construction account, the Puget Sound ferry
19 operations account, the Puget Sound Gateway facility account, the
20 Puget Sound taxpayer accountability account, the real estate
21 appraiser commission account, the recreational vehicle account, the
22 regional mobility grant program account, the resource management cost
23 account, the rural arterial trust account, the rural mobility grant
24 program 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 transportation preservation
4 and maintenance account, the traumatic brain injury account, the
5 University of Washington bond retirement fund, the University of
6 Washington building account, the voluntary cleanup account, the
7 volunteer firefighters' and reserve officers' relief and pension
8 principal fund, the volunteer firefighters' and reserve officers'
9 administrative fund, the vulnerable roadway user education account,
10 the Washington judicial retirement system account, the Washington law
11 enforcement officers' and firefighters' system plan 1 retirement
12 account, the Washington law enforcement officers' and firefighters'
13 system plan 2 retirement account, the Washington public safety
14 employees' plan 2 retirement account, the Washington school
15 employees' retirement system combined plan 2 and 3 account, the
16 Washington state patrol retirement account, the Washington State
17 University building account, the Washington State University bond
18 retirement fund, the water pollution control revolving administration
19 account, the water pollution control revolving fund, the Western
20 Washington University capital projects account, the Yakima integrated
21 plan implementation account, the Yakima integrated plan
22 implementation revenue recovery account, and the Yakima integrated
23 plan implementation taxable bond account. Earnings derived from
24 investing balances of the agricultural permanent fund, the normal
25 school permanent fund, the permanent common school fund, the
26 scientific permanent fund, and the state university permanent fund
27 shall be allocated to their respective beneficiary accounts.

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

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

37 **Sec. 6.** RCW 43.84.092 and 2021 c 199 s 505 are each amended to
38 read as follows:

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

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

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

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

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

1 the charitable, educational, penal and reformatory institutions
2 account, the Chehalis basin account, the Chehalis basin taxable
3 account, the cleanup settlement account, the Columbia river basin
4 water supply development account, the Columbia river basin taxable
5 bond water supply development account, the Columbia river basin water
6 supply revenue recovery account, the common school construction fund,
7 the community forest trust account, the connecting Washington
8 account, the county arterial preservation account, the county
9 criminal justice assistance account, the deferred compensation
10 administrative account, the deferred compensation principal account,
11 the department of licensing services account, the department of
12 retirement systems expense account, the developmental disabilities
13 community services account, the diesel idle reduction account, the
14 drinking water assistance account, the administrative subaccount of
15 the drinking water assistance account, the early learning facilities
16 development account, the early learning facilities revolving account,
17 the Eastern Washington University capital projects account, the
18 education construction fund, the education legacy trust account, the
19 election account, the electric vehicle account, the energy freedom
20 account, the energy recovery act account, the essential rail
21 assistance account, The Evergreen State College capital projects
22 account, the fair start for kids account, the ferry bond retirement
23 fund, the fish, wildlife, and conservation account, the freight
24 mobility investment account, the freight mobility multimodal account,
25 the grade crossing protective fund, the public health services
26 account, the state higher education construction account, the higher
27 education construction account, the higher education retirement plan
28 supplemental benefit fund, the highway bond retirement fund, the
29 highway infrastructure account, the highway safety fund, the hospital
30 safety net assessment fund, the Interstate 405 and state route number
31 167 express toll lanes account, the judges' retirement account, the
32 judicial retirement administrative account, the judicial retirement
33 principal account, the limited fish and wildlife account, the local
34 leasehold excise tax account, the local real estate excise tax
35 account, the local sales and use tax account, the marine resources
36 stewardship trust account, the medical aid account, the money-
37 purchase retirement savings administrative account, the money-
38 purchase retirement savings principal account, the motor vehicle
39 fund, the motorcycle safety education 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 resource management cost account, the rural arterial trust account,
15 the rural mobility grant program account, the rural Washington loan
16 fund, the sexual assault prevention and response account, the site
17 closure account, the skilled nursing facility safety net trust fund,
18 the small city pavement and sidewalk account, the special category C
19 account, the special wildlife account, the state investment board
20 expense account, the state investment board commingled trust fund
21 accounts, the state patrol highway account, the state reclamation
22 revolving account, the state route number 520 civil penalties
23 account, the state route number 520 corridor account, the statewide
24 broadband account, the statewide tourism marketing account, the
25 supplemental pension account, the Tacoma Narrows toll bridge account,
26 the teachers' retirement system plan 1 account, the teachers'
27 retirement system combined plan 2 and plan 3 account, the tobacco
28 prevention and control account, the tobacco settlement account, the
29 toll facility bond retirement account, the transportation 2003
30 account (nickel account), the transportation equipment fund, the
31 transportation future funding program account, the transportation
32 improvement account, the transportation improvement board bond
33 retirement account, the transportation infrastructure account, the
34 transportation partnership account, the transportation preservation
35 and maintenance account, the traumatic brain injury account, the
36 University of Washington bond retirement fund, the University of
37 Washington building account, the voluntary cleanup account, the
38 volunteer firefighters' and reserve officers' relief and pension
39 principal fund, the volunteer firefighters' and reserve officers'
40 administrative fund, the vulnerable roadway user education account,

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

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

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

28 NEW SECTION. **Sec. 7.** Section 5 of this act expires July 1,
29 2024.

30 NEW SECTION. **Sec. 8.** Section 6 of this act takes effect July 1,
31 2024.

32 NEW SECTION. **Sec. 9.** This act takes effect July 1, 2022.

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