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**SENATE BILL 6041**

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**State of Washington**

**66th Legislature**

**2020 Regular Session**

**By** Senator Braun

Prefiled 12/04/19.

1 AN ACT Relating to dedicating the state sales tax on motor  
2 vehicles to transportation improvements; amending RCW 82.08.020 and  
3 82.12.020; reenacting and amending RCW 43.84.092; adding a new  
4 section to chapter 46.68 RCW; creating a new section; and providing  
5 an effective 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, which have  
12 economic and political vulnerabilities that can limit their  
13 reliability. The legislature intends to establish an additional  
14 funding source that would not be subject to bonding, and therefore  
15 offer greater flexibility and efficiency in addressing transportation  
16 infrastructure needs. The legislature finds that dedicating the sales  
17 tax revenue on vehicle sales to the transportation budget would  
18 reinforce the state's ability to provide the twenty-first century  
19 transportation system that the people of Washington can and should  
20 expect.

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

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

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

8       (b) Digital goods, digital codes, and digital automated services,  
9 if the sale is included within the RCW 82.04.050 definition of retail  
10 sale;

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

13       (d) Extended warranties to consumers; and

14       (e) Anything else, the sale of which is included within the RCW  
15 82.04.050 definition of retail sale.

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

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

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

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

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

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

34       (iv) Snowmobiles as defined in RCW 46.04.546.

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

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

1 ~~(b) Off-road vehicles as defined in RCW 46.04.365;~~  
2 ~~(c) Nonhighway vehicles as defined in RCW 46.09.310; and~~  
3 ~~(d) Snowmobiles as defined in RCW 46.04.546.)~~ (a) Beginning July  
4 1, 2020, ten percent of all revenue collected under subsection (1) of  
5 this section on each new and used retail sale of a vehicle in this  
6 state, including private party sales, but excluding retail car  
7 rentals taxed under subsection (2) of this section, must be deposited  
8 into the congestion relief and safety account.

9 (b) Beginning July 1, 2021, twenty percent of all revenue  
10 collected under subsection (1) of this section on each new and used  
11 retail sale of a vehicle in this state, including private party  
12 sales, but excluding retail car rentals taxed under subsection (2) of  
13 this section, must be deposited into the congestion relief and safety  
14 account.

15 (c) Beginning July 1, 2022, thirty percent of all revenue  
16 collected under subsection (1) of this section on each new and used  
17 retail sale of a vehicle in this state, including private party  
18 sales, but excluding retail car rentals taxed under subsection (2) of  
19 this section, must be deposited into the congestion relief and safety  
20 account.

21 (d) Beginning July 1, 2023, forty percent of all revenue  
22 collected under subsection (1) of this section on each new and used  
23 retail sale of a vehicle in this state, including private party  
24 sales, but excluding retail car rentals taxed under subsection (2) of  
25 this section, must be deposited into the congestion relief and safety  
26 account.

27 (e) Beginning July 1, 2024, fifty percent of all revenue  
28 collected under subsection (1) of this section on each new and used  
29 retail sale of a vehicle in this state, including private party  
30 sales, but excluding retail car rentals taxed under subsection (2) of  
31 this section, must be deposited into the congestion relief and safety  
32 account.

33 (f) Beginning July 1, 2025, sixty percent of all revenue  
34 collected under subsection (1) of this section on each new and used  
35 retail sale of a vehicle in this state, including private party  
36 sales, but excluding retail car rentals taxed under subsection (2) of  
37 this section, must be deposited into the congestion relief and safety  
38 account.

39 (g) Beginning July 1, 2026, seventy percent of all revenue  
40 collected under subsection (1) of this section on each new and used

1 retail sale of a vehicle in this state, including private party  
2 sales, but excluding retail car rentals taxed under subsection (2) of  
3 this section, must be deposited into the congestion relief and safety  
4 account.

5 (h) Beginning July 1, 2027, eighty percent of all revenue  
6 collected under subsection (1) of this section on each new and used  
7 retail sale of a vehicle in this state, including private party  
8 sales, but excluding retail car rentals taxed under subsection (2) of  
9 this section, must be deposited into the congestion relief and safety  
10 account.

11 (i) Beginning July 1, 2028, ninety percent of all revenue  
12 collected under subsection (1) of this section on each new and used  
13 retail sale of a vehicle in this state, including private party  
14 sales, but excluding retail car rentals taxed under subsection (2) of  
15 this section, must be deposited into the congestion relief and safety  
16 account.

17 (j) Beginning July 1, 2029, and each fiscal year thereafter, all  
18 revenue collected under subsection (1) of this section on each new  
19 and used retail sale of a vehicle in this state, including private  
20 party sales, but excluding retail car rentals taxed under subsection  
21 (2) of this section, must be deposited into the congestion relief and  
22 safety account.

23 (k) If the employment growth forecast for any fiscal year is  
24 estimated to be less than one percent, then the requirements of (a)  
25 through (j) of this subsection (4) are suspended for that fiscal  
26 year.

27 (l) For purposes of this subsection (4), "vehicle" has the  
28 meaning provided in RCW 46.04.670 including, but not limited to,  
29 passenger vehicles, light trucks, commercial vehicles, travel  
30 trailers, recreational vehicles, intermittent use trailers,  
31 motorcycles, and campers, but "vehicle" does not include:

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

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

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

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

38 (v) Snowmobiles as defined in RCW 46.04.546.

39 (5) Beginning on December 8, 2005, 0.16 percent of the taxes  
40 collected under subsection (1) of this section must be dedicated to

1 funding comprehensive performance audits required under RCW  
2 43.09.470. The revenue identified in this subsection must be  
3 deposited in the performance audits of government account created in  
4 RCW 43.09.475.

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

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

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

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

14 (a) Article of tangible personal property acquired by the user in  
15 any manner, including tangible personal property acquired at a casual  
16 or isolated sale, and including by-products used by the manufacturer  
17 thereof, except as otherwise provided in this chapter, irrespective  
18 of whether the article or similar articles are manufactured or are  
19 available for purchase within this state;

20 (b) Prewritten computer software, regardless of the method of  
21 delivery, but excluding prewritten computer software that is either  
22 provided free of charge or is provided for temporary use in viewing  
23 information, or both;

24 (c) Services defined as a retail sale in RCW 82.04.050 (2) (a) or  
25 (g) or (6)(c), excluding services defined as a retail sale in RCW  
26 82.04.050(6)(c) that are provided free of charge;

27 (d) Extended warranty; or

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

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

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

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

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

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

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

10 (2) The provisions of this chapter do not apply in respect to the  
11 use of any article of tangible personal property, extended warranty,  
12 digital good, digital code, digital automated service, or service  
13 taxable under RCW 82.04.050 (2) (a) or (g) or (6)(c), if the sale to,  
14 or the use by, the present user or the present user's bailor or donor  
15 has already been subjected to the tax under chapter 82.08 RCW or this  
16 chapter and the tax has been paid by the present user or by the  
17 present user's bailor or donor.

18 (3)(a) Except as provided in this section, payment of the tax  
19 imposed by this chapter or chapter 82.08 RCW by one purchaser or user  
20 of tangible personal property, extended warranty, digital good,  
21 digital code, digital automated service, or other service does not  
22 have the effect of exempting any other purchaser or user of the same  
23 property, extended warranty, digital good, digital code, digital  
24 automated service, or other service from the taxes imposed by such  
25 chapters.

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

27 (i) If the sale to, or the use by, the present user or his or her  
28 bailor or donor has already been subjected to the tax under chapter  
29 82.08 RCW or this chapter and the tax has been paid by the present  
30 user or by his or her bailor or donor;

31 (ii) In respect to the use of any article of tangible personal  
32 property acquired by bailment and the tax has once been paid based on  
33 reasonable rental as determined by RCW 82.12.060 measured by the  
34 value of the article at time of first use multiplied by the tax rate  
35 imposed by chapter 82.08 RCW or this chapter as of the time of first  
36 use;

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

1 (iv) To the use of digital goods or digital automated services,  
2 which were obtained through the use of a digital code, if the sale of  
3 the digital code to, or the use of the digital code by, the present  
4 user or the present user's bailor or donor has already been subjected  
5 to the tax under chapter 82.08 RCW or this chapter and the tax has  
6 been paid by the present user or by the present user's bailor or  
7 donor.

8 (4) (a) Except as provided in (b) of this subsection (4), the tax  
9 is levied and must be collected in an amount equal to the value of  
10 the article used, value of the digital good or digital code used,  
11 value of the extended warranty used, or value of the service used by  
12 the taxpayer, multiplied by the applicable rates in effect for the  
13 retail sales tax under RCW 82.08.020.

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

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

21 (6) (a) Beginning July 1, 2020, ten percent of all use tax revenue  
22 collected under subsection (1) of this section on the use of each new  
23 and used vehicle in this state, but excluding retail car rentals  
24 taxed under RCW 82.08.020, must be deposited into the congestion  
25 relief and safety account.

26 (b) Beginning July 1, 2021, twenty percent of all use tax revenue  
27 collected under subsection (1) of this section on the use of each new  
28 and used vehicle in this state, but excluding retail car rentals  
29 taxed under RCW 82.08.020, must be deposited into the congestion  
30 relief and safety account.

31 (c) Beginning July 1, 2022, thirty percent of all use tax revenue  
32 collected under subsection (1) of this section on the use of each new  
33 and used vehicle in this state, but excluding retail car rentals  
34 taxed under RCW 82.08.020, must be deposited into the congestion  
35 relief and safety account.

36 (d) Beginning July 1, 2023, forty percent of all use tax revenue  
37 collected under subsection (1) of this section on the use of each new  
38 and used vehicle in this state, but excluding retail car rentals  
39 taxed under RCW 82.08.020, must be deposited into the congestion  
40 relief and safety account.

1 (e) Beginning July 1, 2024, fifty percent of all use tax revenue  
2 collected under subsection (1) of this section on the use of each new  
3 and used vehicle in this state, but excluding retail car rentals  
4 taxed under RCW 82.08.020, must be deposited into the congestion  
5 relief and safety account.

6 (f) Beginning July 1, 2025, sixty percent of all use tax revenue  
7 collected under subsection (1) of this section on the use of each new  
8 and used vehicle in this state, but excluding retail car rentals  
9 taxed under RCW 82.08.020, must be deposited into the congestion  
10 relief and safety account.

11 (g) Beginning July 1, 2026, seventy percent of all use tax  
12 revenue collected under subsection (1) of this section on the use of  
13 each new and used vehicle in this state, but excluding retail car  
14 rentals taxed under RCW 82.08.020, must be deposited into the  
15 congestion relief and safety account.

16 (h) Beginning July 1, 2027, eighty percent of all use tax revenue  
17 collected under subsection (1) of this section on the use of each new  
18 and used vehicle in this state, but excluding retail car rentals  
19 taxed under RCW 82.08.020, must be deposited into the congestion  
20 relief and safety account.

21 (i) Beginning July 1, 2028, ninety percent of all use tax revenue  
22 collected under subsection (1) of this section on the use of each new  
23 and used vehicle in this state, but excluding retail car rentals  
24 taxed under RCW 82.08.020, must be deposited into the congestion  
25 relief and safety account.

26 (j) Beginning July 1, 2029, and each fiscal year thereafter, all  
27 use tax revenue collected under subsection (1) of this section on the  
28 use of each new and used vehicle in this state, but excluding retail  
29 car rentals taxed under RCW 82.08.020, must be deposited into the  
30 congestion relief and safety account.

31 (k) If the employment growth forecast for any fiscal year is  
32 estimated to be less than one percent, then the requirements of (a)  
33 through (j) of this subsection (6) are suspended for that fiscal  
34 year.

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

37 (1) The congestion relief and safety account is created in the  
38 state treasury. Moneys in the account may be spent only after  
39 appropriation. Expenditures from the account may be used only for



1 transportation projects, programs, or activities based on the  
2 percentage of historical spending of eighteenth amendment restricted  
3 funds and noneineteenth amendment restricted funds as determined  
4 under subsection (2) of this section.

5 (2) By November 1st of each even-numbered year, the joint  
6 transportation committee must determine the historical percentage  
7 spent from eighteenth amendment restricted funds and noneineteenth  
8 amendment restricted funds based on the three most recently completed  
9 fiscal biennia. This information must be transmitted to the office of  
10 financial management and the house and senate transportation  
11 committees of the legislature to be used in the development of their  
12 respective omnibus transportation appropriations.

13 (3) All sales and use tax revenues on new and used vehicles  
14 deposited into the congestion relief and safety account pursuant to  
15 RCW 82.08.020 and 82.12.020 must be used exclusively on a cash  
16 funding basis for transportation projects, programs, and activities,  
17 including reducing the reliance on transportation-related debt  
18 obligations pursuant to subsection (4) of this section. All sales and  
19 use tax revenues on new and used vehicles deposited into the  
20 congestion relief and safety account pursuant to RCW 82.08.020 and  
21 82.12.020 cannot be used for any new revenue bond issues or used as a  
22 source for any other type of debt or similar type of financing  
23 mechanism.

24 (4) Part of the purpose in the allocation of additional resources  
25 from the sales and use tax revenues on new and used vehicles into the  
26 congestion relief and safety account pursuant to RCW 82.08.020 and  
27 82.12.020 is to lower the overall reliance on debt financing for  
28 transportation projects and infrastructure. Beginning December 1,  
29 2022, and each two years thereafter, the state treasurer must prepare  
30 a report that shows the impact of this act on the reliance of debt  
31 financing for transportation appropriations.

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

36 **Sec. 5.** RCW 43.84.092 and 2019 c 421 s 15, 2019 c 403 s 14, 2019  
37 c 365 s 19, 2019 c 287 s 19, and 2019 c 95 s 6 are each reenacted and  
38 amended to 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 aircraft  
37 search and rescue account, the Alaskan Way viaduct replacement  
38 project account, the brownfield redevelopment trust fund account, the  
39 budget stabilization account, the capital vessel replacement account,  
40 the capitol building construction account, the Cedar River channel

1 construction and operation account, the Central Washington University  
2 capital projects account, the charitable, educational, penal and  
3 reformatory institutions account, the Chehalis basin account, the  
4 cleanup settlement account, the Columbia river basin water supply  
5 development account, the Columbia river basin taxable bond water  
6 supply development account, the Columbia river basin water supply  
7 revenue recovery account, the common school construction fund, the  
8 community forest trust account, the congestion relief and safety  
9 account, the connecting Washington account, the county arterial  
10 preservation account, the county criminal justice assistance account,  
11 the deferred compensation administrative account, the deferred  
12 compensation principal account, the department of licensing services  
13 account, the department of licensing tuition recovery trust fund, the  
14 department of retirement systems expense account, the developmental  
15 disabilities community trust account, the diesel idle reduction  
16 account, the drinking water assistance account, the drinking water  
17 assistance administrative account, the early learning facilities  
18 development account, the early learning facilities revolving account,  
19 the Eastern Washington University capital projects account, the  
20 education construction fund, the education legacy trust account, the  
21 election account, the electric vehicle account, the energy freedom  
22 account, the energy recovery act account, the essential rail  
23 assistance account, The Evergreen State College capital projects  
24 account, the federal forest revolving account, the ferry bond  
25 retirement fund, the freight mobility investment account, the freight  
26 mobility multimodal account, the grade crossing protective fund, the  
27 public health services account, the state higher education  
28 construction account, the higher education construction account, the  
29 highway bond retirement fund, the highway infrastructure account, the  
30 highway safety fund, the hospital safety net assessment fund, the  
31 industrial insurance premium refund account, the Interstate 405 and  
32 state route number 167 express toll lanes account, the judges'  
33 retirement account, the judicial retirement administrative account,  
34 the judicial retirement principal account, the local leasehold excise  
35 tax account, the local real estate excise tax account, the local  
36 sales and use tax account, the marine resources stewardship trust  
37 account, the medical aid account, the mobile home park relocation  
38 fund, the money-purchase retirement savings administrative account,  
39 the money-purchase retirement savings principal account, the motor  
40 vehicle fund, the motorcycle safety education account, the multimodal

1 transportation account, the multiuse roadway safety account, the  
2 municipal criminal justice assistance account, the natural resources  
3 deposit account, the oyster reserve land account, the pension funding  
4 stabilization account, the perpetual surveillance and maintenance  
5 account, the pollution liability insurance agency underground storage  
6 tank revolving account, the public employees' retirement system plan  
7 1 account, the public employees' retirement system combined plan 2  
8 and plan 3 account, the public facilities construction loan revolving  
9 account beginning July 1, 2004, the public health supplemental  
10 account, the public works assistance account, the Puget Sound capital  
11 construction account, the Puget Sound ferry operations account, the  
12 Puget Sound Gateway facility account, the Puget Sound taxpayer  
13 accountability account, the real estate appraiser commission account,  
14 the recreational vehicle account, the regional mobility grant program  
15 account, the resource management cost account, the rural arterial  
16 trust account, the rural mobility grant program account, the rural  
17 Washington loan 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 employees' insurance account, the state employees' insurance  
22 reserve account, the state investment board expense account, the  
23 state investment board commingled trust fund accounts, the state  
24 patrol highway account, the state route number 520 civil penalties  
25 account, the state route number 520 corridor account, the state  
26 wildlife account, the statewide broadband account, the statewide  
27 tourism marketing account, the student achievement council tuition  
28 recovery trust fund, the supplemental pension account, the Tacoma  
29 Narrows toll bridge account, the teachers' retirement system plan 1  
30 account, the teachers' retirement system combined plan 2 and plan 3  
31 account, the tobacco prevention and control account, the tobacco  
32 settlement account, the toll facility bond retirement account, the  
33 transportation 2003 account (nickel account), the transportation  
34 equipment fund, the transportation future funding program account,  
35 the transportation improvement account, the transportation  
36 improvement board bond retirement account, the transportation  
37 infrastructure account, the transportation partnership account, the  
38 traumatic brain injury account, the tuition recovery trust fund, the  
39 University of Washington bond retirement fund, the University of  
40 Washington building account, the voluntary cleanup account, the

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

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

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

32 NEW SECTION. **Sec. 6.** This act takes effect July 1, 2020.

--- END ---