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SENATE BILL 5770

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State of Washington

63rd Legislature

2013 Regular Session

By Senators Honeyford, Hatfield, and Hobbs

Read first time 02/14/13. Referred to Committee on Agriculture, Water & Rural Economic Development.

1 AN ACT Relating to conservation district electronic deposit of  
2 employee pay and compensation; and amending RCW 41.04.240 and  
3 89.08.215.

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

5 **Sec. 1.** RCW 41.04.240 and 2012 c 230 s 3 are each amended to read  
6 as follows:

7 (1) Except with regard to institutions of higher education as  
8 defined in RCW 28B.10.016, any official of the state or of any  
9 political subdivision, municipal corporation, or quasi-municipal  
10 corporation authorized to disburse funds in payment of salaries and  
11 wages of employees is authorized upon written request of at least  
12 twenty-five employees to pay all or part of such salaries or wages to  
13 any financial institution for either: (a) Credit to the employees'  
14 accounts in such financial institution; or (b) immediate transfer  
15 therefrom to the employees' accounts in any other financial  
16 institutions.

17 (2) In disbursing funds for payment of salaries and wages of  
18 employees, institutions of higher education as defined in RCW  
19 28B.10.016 are authorized to require the following payment methods:

1 (a) For employees who have an account in a financial institution,  
2 payment to any financial institution for either: (i) Credit to the  
3 employees' accounts in such financial institution; or (ii) immediate  
4 transfer therefrom to the employees' accounts in any other financial  
5 institutions; and

6 (b) For employees who do not have an account in a financial  
7 institution, payment by alternate methods such as payroll cards.

8 (3) Nothing in this section shall be construed as authorizing any  
9 employer to require the employees to have an account in any particular  
10 financial institution or type of financial institution. A single  
11 warrant may be drawn in favor of such financial institution, for the  
12 total amount due the employees involved, and written directions  
13 provided to such financial institution of the amount to be credited to  
14 the account of an employee or to be transferred to an account in  
15 another financial institution for such employee. The issuance and  
16 delivery by the disbursing officer of a warrant in accordance with the  
17 procedure set forth herein and proper indorsement thereof by the  
18 financial institution shall have the same legal effect as payment  
19 directly to the employee.

20 (4) Conservation districts as established and authorized under  
21 chapter 89.08 RCW are exempt from the requirement to obtain a written  
22 request of twenty-five employees as required in subsection (1) of this  
23 section, and may disburse funds in payment of salaries and wages of  
24 employees consistent with this chapter and RCW 89.08.215.

25 (5) For the purposes of this section "financial institution" means  
26 any bank or trust company established in this state pursuant to chapter  
27 2, Title 12, United States Code, or Title 30 RCW, and any credit union  
28 established in this state pursuant to chapter 14, Title 12, United  
29 States Code, or chapter 31.12 RCW, and any mutual savings bank  
30 established in this state pursuant to Title 32 RCW, and any savings and  
31 loan association established in this state pursuant to chapter 12,  
32 Title 12, United States Code, or Title 33 RCW.

33 **Sec. 2.** RCW 89.08.215 and 2000 c 45 s 2 are each amended to read  
34 as follows:

35 (1) The treasurer of the county in which a conservation district is  
36 located is ex officio treasurer of the district. However, the board of  
37 supervisors by resolution may designate some other person having

1 experience in financial or fiscal matters as treasurer of the  
2 conservation district. The board of supervisors shall require a bond,  
3 with a surety company authorized to do business in the state of  
4 Washington, in an amount and under the terms and conditions which the  
5 board of supervisors by resolution from time to time finds will protect  
6 the district against loss. The premium on this bond shall be paid by  
7 the district.

8 (2) All district funds shall be paid to the treasurer and disbursed  
9 only on warrants issued by an auditor appointed by the board of  
10 supervisors, upon orders or vouchers approved by it. The treasurer  
11 shall establish a conservation district fund into which shall be paid  
12 all district funds. The treasurer shall maintain any special funds  
13 created by the board of supervisors for the placement of all money as  
14 the board of supervisors may, by resolution, direct.

15 (3) If the treasurer of the district is the treasurer of the county  
16 all district funds shall be deposited with the county depositaries  
17 under the same restrictions, contracts, and security as provided for  
18 county depositaries. If the treasurer of the district is some other  
19 person, all funds shall be deposited in a bank or banks authorized to  
20 do business in this state as the board of supervisors, by resolution,  
21 designates.

22 (4) A district may provide and require a reasonable bond of any  
23 other person handling moneys or securities of the district, if the  
24 district pays the premium.

25 (5)(a) A district may disburse funds in payment of salaries, wages,  
26 and any other approved financial reimbursement to any employee or  
27 contractor of the district to any financial institution for either:  
28 (i) Credit to the employees' or contractors' accounts in such financial  
29 institution; or (ii) immediate transfer therefrom to the employees' or  
30 contractors' accounts in any other financial institutions.

31 (b) As used in this subsection (5), "financial institution" has the  
32 definition in RCW 41.04.240.

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