
SENATE BILL 5464

State of Washington 61st Legislature 2009 Regular Session

By Senators Holmquist, Schoesler, Pflug, King, Swecker, Delvin, Stevens, Parlette, and Honeyford

Read first time 01/22/09. Referred to Committee on Labor, Commerce & Consumer Protection.

1 AN ACT Relating to the use of industrial insurance funds; amending
2 RCW 51.44.010 and 51.44.020; and adding a new section to chapter 51.44
3 RCW.

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

5 **Sec. 1.** RCW 51.44.010 and 1961 c 23 s 51.44.010 are each amended
6 to read as follows:

7 (1) There shall be, in the office of the state treasurer, a fund to
8 be known and designated as the "accident fund."

9 (2) Expenditures from the accident fund shall be made only for
10 purposes related to the payment of benefits or the administration of
11 industrial insurance programs.

12 **Sec. 2.** RCW 51.44.020 and 1961 c 23 s 51.44.020 are each amended
13 to read as follows:

14 (1) There shall be, in the office of the state treasurer, a fund to
15 be known and designated as the "medical aid fund."

16 (2) Expenditures from the medical aid fund shall be made only for
17 purposes related to the payment of benefits or the administration of
18 industrial insurance programs.

1 NEW SECTION. **Sec. 3.** A new section is added to chapter 51.44 RCW
2 to read as follows:

3 (1) Any ratepayer or group of ratepayers, acting as a class, may
4 file an action in superior court to protest the improper use of the
5 accident fund, the medical aid fund, or the supplemental pension fund.

6 (2) If a court finds that expenditures from the accident fund, the
7 medical aid fund, or the supplemental pension fund are not related to
8 a purpose under RCW 51.44.010, 51.44.020, or 51.44.033, the department
9 is prohibited from making the expenditures, and the ratepayer or
10 ratepayers must be compensated for actual attorneys' fees and an award
11 of triple damages.

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