CERTIFICATION OF ENROLLMENT

**SUBSTITUTE SENATE BILL 6190**

66th Legislature

2020 Regular Session

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| Passed by the Senate March 10, 2020  Yeas 47 Nays 1  **President of the Senate**  Passed by the House March 4, 2020  Yeas 95 Nays 2  **Speaker of the House of Representatives** | CERTIFICATE  I, Brad Hendrickson, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 6190** as passed by the Senate and the House of Representatives on the dates hereon set forth.  Secretary |
| Approved |  |
| **Governor of the State of Washington** | **Secretary of State**  **State of Washington** |

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**SUBSTITUTE SENATE BILL 6190**

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AS AMENDED BY THE HOUSE

Passed Legislature - 2020 Regular Session

**State of Washington 66th Legislature 2020 Regular Session**

**By** Senate Health & Long Term Care (originally sponsored by Senators Braun, Keiser, and Kuderer)

AN ACT Relating to preserving the developmental disabilities community trust; and amending RCW 71A.20.170.

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

**Sec.**  RCW 71A.20.170 and 2011 1st sp.s. c 30 s 12 are each amended to read as follows:

(1) The developmental disabilities community ((~~trust~~)) services account is created in the state treasury. ((~~All net proceeds from the use of excess property identified in the 2002 joint legislative audit and review committee capital study or other studies of the division of developmental disabilities residential habilitation centers that would not impact current residential habilitation center operations must be deposited into the account.~~))

(2) ((~~Proceeds may come from the lease of the land, conservation easements, sale of timber, or other activities short of sale of the property, except as permitted under section 7 of this act.~~)) The following revenues must be deposited in the account:

(a) All net proceeds from leases or sales of real property, conservation easements, and sales of timber, from the state properties at the Fircrest residential habilitation center, the Lakeland Village residential habilitation center, the Rainier school, and the Yakima Valley school. However, real property that is determined by the department of social and health services to be required for the operations of the residential habilitation centers is excluded from the real property that may be leased or sold for the benefit of the account. In addition, real property owned by the charitable, educational, penal, and reformatory institutions trust, and revenue therefrom, is excluded; and

(b) Any other moneys appropriated or transferred to the account by the legislature.

(3) ((~~"Excess property" includes that portion of the property at Rainier school previously under the cognizance and control of Washington State University for use as a dairy/forage research facility.~~)) Any sale, lease, or easement under this section must be at fair market value.

(4) ((~~Only investment income from the principal of the proceeds deposited into the trust account may be spent from the account. For purposes of this section, "investment income" includes lease payments, rent payments, or other periodic payments deposited into the trust account. For purposes of this section, "principal" is the actual excess land from which proceeds are assigned to the trust account.~~

~~(5)~~)) Moneys in the account may be spent only after appropriation. Expenditures from the account shall be used exclusively ((~~to provide family support and/or employment/day services to eligible persons with developmental disabilities who can be served by community-based developmental disability services. It is the intent of the legislature that the account should not be used to replace, supplant, or reduce existing appropriations.~~

~~(6)~~)) for:

(a) Supports and services in a community setting to benefit eligible persons with intellectual and developmental disabilities; or

(b) Investment expenses of the state investment board.

(5) The department of social and health services must solicit recommendations from the Washington state developmental disabilities council regarding expenditure of moneys from the Dan Thompson memorial developmental disabilities community services account for supports and services in a community setting to benefit eligible persons with developmental disabilities.

(6) Expenditures from the account must supplement, and may not replace, supplant, or reduce current state expenditure levels for supports and services in the community setting for eligible persons with developmental disabilities.

(7)(a) The state investment board must invest moneys in the account. The state investment board has the full power to invest, reinvest, manage, contract, sell, or exchange investment money in the account. All investment and operating costs associated with the investment of money shall be paid under RCW 43.33A.160 and 43.84.160.

(b) All investments made by the state investment board shall be made with the degree of judgment and care required under RCW 43.33A.140 and the investment policy established by the state investment board.

(c) The state investment board shall routinely consult and communicate with the department of social and health services and the legislature on the investment policy, earnings of the account, and related needs of the account.

(8) The account shall be known as the Dan Thompson memorial developmental disabilities community ((~~trust~~)) services account.

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