

CERTIFICATION OF ENROLLMENT

SUBSTITUTE SENATE BILL 6099

68th Legislature
2024 Regular Session

Passed by the Senate March 5, 2024
Yeas 49 Nays 0

President of the Senate

Passed by the House March 1, 2024
Yeas 96 Nays 0

**Speaker of the House of
Representatives**

Approved

Governor of the State of Washington

CERTIFICATE

I, Sarah Bannister, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 6099** as passed by the Senate and the House of Representatives on the dates hereon set forth.

Secretary

FILED

**Secretary of State
State of Washington**

SUBSTITUTE SENATE BILL 6099

AS AMENDED BY THE HOUSE

Passed Legislature - 2024 Regular Session

State of Washington 68th Legislature 2024 Regular Session

By Senate Ways & Means (originally sponsored by Senators Braun, Kauffman, and Mullet)

READ FIRST TIME 02/05/24.

1 AN ACT Relating to creating the tribal opioid prevention and
2 treatment account; amending RCW 43.79.483; reenacting and amending
3 RCW 43.84.092 and 43.84.092; adding a new section to chapter 43.79
4 RCW; creating a new section; providing effective dates; and providing
5 an expiration date.

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

7 NEW SECTION. **Sec. 1.** The legislature finds that American
8 Indians and Alaska Natives are affected disproportionately by the
9 opioid crisis and that opioid overdose rates are higher for American
10 Indians and Alaska Natives than in any other category by race and
11 ethnicity. Therefore, it is the intent of the legislature to
12 prioritize moneys received from opioid settlements to address
13 specific impacts in tribal communities through the creation of a
14 dedicated tribal opioid prevention and treatment account.

15 **Sec. 2.** RCW 43.79.483 and 2023 c 435 s 5 are each amended to
16 read as follows:

17 (1) The opioid abatement settlement account is created in the
18 state treasury. All settlement receipts and moneys that are
19 designated to be used by the state of Washington to abate the opioid
20 epidemic for state use must be deposited into the account. Money in

1 the account may be spent only after appropriation. Expenditures from
2 the account may only be used for future opioid remediation as
3 provided in the applicable settlement. For purposes of this account,
4 "opioid remediation" means the care, treatment, and other programs
5 and expenditures, designed to: (a) Address the use and abuse of
6 opioid products; (b) treat or mitigate opioid use or related
7 disorders; or (c) mitigate other alleged effects of, including those
8 injured as a result of, the opioid epidemic.

9 (2) All money remaining in the state opioid settlement account
10 established under RCW 43.88.195 must be transferred to the opioid
11 abatement settlement account created in this section.

12 (3) Beginning July 1, 2025, and each fiscal year thereafter
13 through June 30, 2031, the state treasurer shall transfer into the
14 tribal opioid prevention and treatment account created in section 3
15 of this act from the opioid abatement settlement account an amount
16 equal to the greater of \$7,750,000 or 20 percent of the settlement
17 receipts and moneys deposited into the opioid abatement settlement
18 account during the prior fiscal year.

19 (4) Beginning July 1, 2031, and each fiscal year thereafter, the
20 state treasurer shall transfer into the tribal opioid prevention and
21 treatment account created in section 3 of this act from the opioid
22 abatement settlement account an amount equal to 20 percent of the
23 settlement receipts and moneys deposited into the opioid abatement
24 settlement account during the prior fiscal year.

25 (5) No transfer shall be required if the average amount of
26 revenue received by the account per fiscal year over the prior two
27 fiscal years is less than \$7,750,000.

28 NEW SECTION. Sec. 3. A new section is added to chapter 43.79
29 RCW to read as follows:

30 The tribal opioid prevention and treatment account is created in
31 the state treasury. All receipts from the transfer directed in RCW
32 43.79.483(3) must be deposited in the account. Moneys in the account
33 may be spent only after appropriation. Expenditures from the account
34 may be used for addressing the impact of the opioid epidemic in
35 tribal communities, including: (1) Prevention and recovery services;
36 (2) treatment programs including medication-assisted treatment; (3)
37 peer services; (4) awareness campaigns and education; and (5) support
38 for first responders.

1 **Sec. 4.** RCW 43.84.092 and 2023 c 435 s 14, 2023 c 431 s 10, 2023
2 c 389 s 10, 2023 c 377 s 7, 2023 c 340 s 10, 2023 c 110 s 3, 2023 c
3 73 s 10, and 2023 c 41 s 4 are each reenacted and amended to read as
4 follows:

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

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

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

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

37 (a) The following accounts and funds shall receive their
38 proportionate share of earnings based upon each account's and fund's
39 average daily balance for the period: The abandoned recreational
40 vehicle disposal account, the aeronautics account, the Alaskan Way

1 viaduct replacement project account, the ambulance transport fund,
2 the brownfield redevelopment trust fund account, the budget
3 stabilization account, the capital vessel replacement account, the
4 capitol building construction account, the Central Washington
5 University capital projects account, the charitable, educational,
6 penal and reformatory institutions account, the Chehalis basin
7 account, the Chehalis basin taxable account, the cleanup settlement
8 account, the climate active transportation account, the climate
9 transit programs account, the Columbia river basin water supply
10 development account, the Columbia river basin taxable bond water
11 supply development account, the Columbia river basin water supply
12 revenue recovery account, the common school construction fund, the
13 community forest trust account, the connecting Washington account,
14 the county arterial preservation account, the county criminal justice
15 assistance account, the covenant homeownership account, the deferred
16 compensation administrative account, the deferred compensation
17 principal account, the department of licensing services account, the
18 department of retirement systems expense account, the developmental
19 disabilities community services account, the diesel idle reduction
20 account, the opioid abatement settlement account, the drinking water
21 assistance account, the administrative subaccount of the drinking
22 water assistance account, the early learning facilities development
23 account, the early learning facilities revolving account, the Eastern
24 Washington University capital projects account, the education
25 construction fund, the education legacy trust account, the election
26 account, the electric vehicle account, the energy freedom account,
27 the energy recovery act account, the essential rail assistance
28 account, The Evergreen State College capital projects account, the
29 fair start for kids account, the ferry bond retirement fund, the
30 fish, wildlife, and conservation account, the freight mobility
31 investment account, the freight mobility multimodal account, the
32 grade crossing protective fund, the higher education retirement plan
33 supplemental benefit fund, the Washington student loan account, the
34 highway bond retirement fund, the highway infrastructure account, the
35 highway safety fund, the hospital safety net assessment fund, the
36 Interstate 5 bridge replacement project account, the Interstate 405
37 and state route number 167 express toll lanes account, the judges'
38 retirement account, the judicial retirement administrative account,
39 the judicial retirement principal account, the limited fish and
40 wildlife account, the local leasehold excise tax account, the local

1 real estate excise tax account, the local sales and use tax account,
2 the marine resources stewardship trust account, the medical aid
3 account, the money-purchase retirement savings administrative
4 account, the money-purchase retirement savings principal account, the
5 motor vehicle fund, the motorcycle safety education account, the move
6 ahead WA account, the move ahead WA flexible account, the multimodal
7 transportation account, the multiuse roadway safety account, the
8 municipal criminal justice assistance account, the oyster reserve
9 land account, the pension funding stabilization account, the
10 perpetual surveillance and maintenance account, the pilotage account,
11 the pollution liability insurance agency underground storage tank
12 revolving account, the public employees' retirement system plan 1
13 account, the public employees' retirement system combined plan 2 and
14 plan 3 account, the public facilities construction loan revolving
15 account, the public health supplemental account, the public works
16 assistance account, the Puget Sound capital construction account, the
17 Puget Sound ferry operations account, the Puget Sound Gateway
18 facility account, the Puget Sound taxpayer accountability account,
19 the real estate appraiser commission account, the recreational
20 vehicle account, the regional mobility grant program account, the
21 reserve officers' relief and pension principal fund, the resource
22 management cost account, the rural arterial trust account, the rural
23 mobility grant program account, the rural Washington loan fund, the
24 second injury fund, the sexual assault prevention and response
25 account, the site closure account, the skilled nursing facility
26 safety net trust fund, the small city pavement and sidewalk account,
27 the special category C account, the special wildlife account, the
28 state hazard mitigation revolving loan account, the state investment
29 board expense account, the state investment board commingled trust
30 fund accounts, the state patrol highway account, the state
31 reclamation revolving account, the state route number 520 civil
32 penalties account, the state route number 520 corridor account, the
33 statewide broadband account, the statewide tourism marketing account,
34 the supplemental pension account, the Tacoma Narrows toll bridge
35 account, the teachers' retirement system plan 1 account, the
36 teachers' retirement system combined plan 2 and plan 3 account, the
37 tobacco prevention and control account, the tobacco settlement
38 account, the toll facility bond retirement account, the
39 transportation 2003 account (nickel account), the transportation
40 equipment fund, the JUDY transportation future funding program

1 account, the transportation improvement account, the transportation
2 improvement board bond retirement account, the transportation
3 infrastructure account, the transportation partnership account, the
4 traumatic brain injury account, the tribal opioid prevention and
5 treatment account, the University of Washington bond retirement fund,
6 the University of Washington building account, the voluntary cleanup
7 account, the volunteer firefighters' relief and pension principal
8 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. 5.** RCW 43.84.092 and 2023 c 435 s 14, 2023 c 431 s 10, 2023
38 c 389 s 10, 2023 c 377 s 7, 2023 c 340 s 10, 2023 c 110 s 3, 2023 c

1 73 s 10, and 2023 c 41 s 4 are each reenacted and amended to read as
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7 receive funds associated with federal programs as required by the
8 federal cash management improvement act of 1990. The treasury income
9 account is subject in all respects to chapter 43.88 RCW, but no
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11 earnings required by the cash management improvement act. Refunds of
12 interest to the federal treasury required under the cash management
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14 appropriation. The office of financial management shall determine the
15 amounts due to or from the federal government pursuant to the cash
16 management improvement act. The office of financial management may
17 direct transfers of funds between accounts as deemed necessary to
18 implement the provisions of the cash management improvement act, and
19 this subsection. Refunds or allocations shall occur prior to the
20 distributions of earnings set forth in subsection (4) of this
21 section.

22 (3) Except for the provisions of RCW 43.84.160, the treasury
23 income account may be utilized for the payment of purchased banking
24 services on behalf of treasury funds including, but not limited to,
25 depository, safekeeping, and disbursement functions for the state
26 treasury and affected state agencies. The treasury income account is
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28 required for payments to financial institutions. Payments shall occur
29 prior to distribution of earnings set forth in subsection (4) of this
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32 credited to the treasury income account. The state treasurer shall
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34 treasury income account except:

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37 average daily balance for the period: The abandoned recreational
38 vehicle disposal account, the aeronautics account, the Alaskan Way
39 viaduct replacement project account, the brownfield redevelopment
40 trust fund account, the budget stabilization account, the capital

1 vessel replacement account, the capitol building construction
2 account, the Central Washington University capital projects account,
3 the charitable, educational, penal and reformatory institutions
4 account, the Chehalis basin account, the Chehalis basin taxable
5 account, the cleanup settlement account, the climate active
6 transportation account, the climate transit programs account, the
7 Columbia river basin water supply development account, the Columbia
8 river basin taxable bond water supply development account, the
9 Columbia river basin water supply revenue recovery account, the
10 common school construction fund, the community forest trust account,
11 the connecting Washington account, the county arterial preservation
12 account, the county criminal justice assistance account, the covenant
13 homeownership account, the deferred compensation administrative
14 account, the deferred compensation principal account, the department
15 of licensing services account, the department of retirement systems
16 expense account, the developmental disabilities community services
17 account, the diesel idle reduction account, the opioid abatement
18 settlement account, the drinking water assistance account, the
19 administrative subaccount of the drinking water assistance account,
20 the early learning facilities development account, the early learning
21 facilities revolving account, the Eastern Washington University
22 capital projects account, the education construction fund, the
23 education legacy trust account, the election account, the electric
24 vehicle account, the energy freedom account, the energy recovery act
25 account, the essential rail assistance account, The Evergreen State
26 College capital projects account, the fair start for kids account,
27 the ferry bond retirement fund, the fish, wildlife, and conservation
28 account, the freight mobility investment account, the freight
29 mobility multimodal account, the grade crossing protective fund, the
30 higher education retirement plan supplemental benefit fund, the
31 Washington student loan account, the highway bond retirement fund,
32 the highway infrastructure account, the highway safety fund, the
33 hospital safety net assessment fund, the Interstate 5 bridge
34 replacement project account, the Interstate 405 and state route
35 number 167 express toll lanes account, the judges' retirement
36 account, the judicial retirement administrative account, the judicial
37 retirement principal account, the limited fish and wildlife account,
38 the local leasehold excise tax account, the local real estate excise
39 tax account, the local sales and use tax account, the marine
40 resources stewardship trust account, the medical aid account, the

1 money-purchase retirement savings administrative account, the money-
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6 municipal criminal justice assistance account, the oyster reserve
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8 perpetual surveillance and maintenance account, the pilotage account,
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10 revolving account, the public employees' retirement system plan 1
11 account, the public employees' retirement system combined plan 2 and
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15 Puget Sound ferry operations account, the Puget Sound Gateway
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19 reserve officers' relief and pension principal fund, the resource
20 management cost account, the rural arterial trust account, the rural
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22 second injury fund, the sexual assault prevention and response
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25 the special category C account, the special wildlife account, the
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31 statewide broadband account, the statewide tourism marketing account,
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34 teachers' retirement system combined plan 2 and plan 3 account, the
35 tobacco prevention and control account, the tobacco settlement
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40 improvement board bond retirement account, the transportation

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

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

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

35 NEW SECTION. **Sec. 6.** Section 4 of this act expires July 1,
36 2028.

37 NEW SECTION. **Sec. 7.** (1) Except for section 5 of this act, this
38 act takes effect July 1, 2024.

1 (2) Section 5 of this act takes effect July 1, 2028.

--- **END** ---