

CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 2225

Chapter 203, Laws of 2005

59th Legislature
2005 Regular Session

HIGHER EDUCATION ENDOWMENT FUNDS--OUT OF STATE DEPOSIT

EFFECTIVE DATE: 7/24/05

Passed by the House March 15, 2005
Yeas 96 Nays 0

FRANK CHOPP

Speaker of the House of Representatives

Passed by the Senate April 13, 2005
Yeas 46 Nays 0

BRAD OWEN

President of the Senate

Approved April 26, 2005.

CHRISTINE GREGOIRE

Governor of the State of Washington

CERTIFICATE

I, Richard Nafziger, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 2225** as passed by the House of Representatives and the Senate on the dates hereon set forth.

RICHARD NAFZIGER

Chief Clerk

FILED

April 26, 2005 - 2:38 p.m.

**Secretary of State
State of Washington**

SUBSTITUTE HOUSE BILL 2225

Passed Legislature - 2005 Regular Session

State of Washington 59th Legislature 2005 Regular Session

By House Committee on Financial Institutions & Insurance (originally sponsored by Representative Kirby; by request of State Treasurer)

READ FIRST TIME 03/04/05.

1 AN ACT Relating to allowing certain higher education endowment
2 grant funds to be deposited outside the state; and amending RCW
3 39.58.080 and 39.58.085.

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

5 **Sec. 1.** RCW 39.58.080 and 1996 c 256 s 8 are each amended to read
6 as follows:

7 (1) Except for funds deposited pursuant to a fiscal agency contract
8 with the state fiscal agent or its correspondent bank, funds deposited
9 pursuant to a custodial bank contract with the state's custodial bank,
10 and funds deposited pursuant to a local government multistate joint
11 self-insurance program as provided in RCW 48.62.081, no public funds
12 shall be deposited in demand or investment deposits except in a public
13 depository located in this state or as otherwise expressly permitted by
14 statute: PROVIDED, That the commission, or the chair upon delegation
15 by the commission, upon good cause shown, may authorize, for such time
16 and upon such terms and conditions as the commission or chair deem
17 appropriate, a treasurer to maintain a demand deposit account with a
18 banking institution located outside the state of Washington solely for

1 the purpose of transmitting money received to public depositaries in
2 the state of Washington for deposit.

3 (2) Notwithstanding subsection (1) of this section, the commission,
4 or the chair upon delegation by the commission, upon good cause shown,
5 may authorize, for that time and upon the terms and conditions as the
6 commission or chair deems appropriate, a treasurer to maintain a demand
7 deposit account with a banking institution located outside the state of
8 Washington for deposit of certain higher education endowment funds, for
9 a specified instructional program or research project being performed
10 outside the state of Washington.

11 **Sec. 2.** RCW 39.58.085 and 1996 c 256 s 9 are each amended to read
12 as follows:

13 (1)(a) The commission, or the chair upon delegation by the
14 commission, may authorize state and local governmental entities to
15 establish demand accounts in out-of-state and alien banks in an
16 aggregate amount not to exceed one million dollars. No single
17 governmental entity shall be authorized to hold more than fifty
18 thousand dollars in one demand account.

19 (b) The governmental entities establishing such demand accounts
20 shall be solely responsible for their proper and prudent management and
21 shall bear total responsibility for any losses incurred by such
22 accounts. Accounts established under the provisions of this section
23 shall not be considered insured by the commission.

24 (c) The state auditor shall annually monitor compliance with this
25 section and the financial status of such demand accounts.

26 (2) Subsection (1)(a) of this section does not apply to RCW
27 39.58.080(2).

Passed by the House March 15, 2005.

Passed by the Senate April 13, 2005.

Approved by the Governor April 26, 2005.

Filed in Office of Secretary of State April 26, 2005.