

CERTIFICATION OF ENROLLMENT
ENGROSSED SUBSTITUTE HOUSE BILL 1109

Chapter 290, Laws of 2017

65th Legislature
2017 Regular Session

SEXUAL ASSAULT--KITS--TRAINING

EFFECTIVE DATE: 7/23/2017

Passed by the House April 20, 2017
Yeas 96 Nays 0

FRANK CHOPP

Speaker of the House of Representatives

Passed by the Senate April 20, 2017
Yeas 49 Nays 0

CYRUS HABIB

President of the Senate

Approved May 16, 2017 10:04 AM

JAY INSLEE

Governor of the State of Washington

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE HOUSE BILL 1109** as passed by House of Representatives and the Senate on the dates hereon set forth.

BERNARD DEAN

Chief Clerk

FILED

May 16, 2017

**Secretary of State
State of Washington**

ENGROSSED SUBSTITUTE HOUSE BILL 1109

AS AMENDED BY THE SENATE

Passed Legislature - 2017 Regular Session

State of Washington 65th Legislature 2017 Regular Session

By House Appropriations (originally sponsored by Representatives Orwall, McCabe, Griffey, Hayes, McBride, Frame, Goodman, Klippert, Stanford, Stambaugh, Jenkins, Fey, Harmsworth, Dolan, Sells, Muri, Gregerson, McDonald, Wylie, Kilduff, Kloba, Tarleton, Pollet, Farrell, Kagi, Riccelli, Senn, Peterson, Bergquist, and Doglio)

READ FIRST TIME 02/24/17.

1 AN ACT Relating to supporting victims of sexual assault; amending
2 RCW 43.330.470; amending 2015 c 247 s 2 (uncodified); reenacting and
3 amending RCW 43.84.092; adding a new section to chapter 36.28A RCW;
4 adding new sections to chapter 43.101 RCW; and creating new sections.

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

6 **PART I - WASHINGTON SEXUAL ASSAULT KIT INITIATIVE PROJECT**

7 NEW SECTION. **Sec. 1.** A new section is added to chapter 36.28A
8 RCW to read as follows:

9 (1) Subject to the availability of amounts appropriated for this
10 specific purpose, the Washington association of sheriffs and police
11 chiefs shall establish and administer the Washington sexual assault
12 kit initiative project.

13 (2) The project is created for the purpose of providing funding
14 through a competitive grant program to support multidisciplinary
15 community response teams engaged in seeking a just resolution to
16 sexual assault cases resulting from evidence found in previously
17 unsubmitted sexual assault kits.

18 (3) In administering the project, the Washington association of
19 sheriffs and police chiefs has the following powers and duties:

1 (a) Design and implement the grant project with the elements
2 included in this section;

3 (b) Screen and select eligible applicants to receive grants;

4 (c) Award grants and disburse funds to at least two eligible
5 applicants, at least one located in western Washington and at least
6 one located in eastern Washington;

7 (d) Adopt necessary policies and procedures to implement and
8 administer the program;

9 (e) Monitor use of grant funds and compliance with the grant
10 requirements;

11 (f) Create and implement reporting requirements for grant
12 recipients;

13 (g) Facilitate the hosting of a sexual assault kit summit in the
14 state of Washington through a grant recipient or directly through the
15 Washington association of sheriffs and police chiefs, subject to the
16 availability of funds, which may include a combination of public and
17 private dollars allocated for the particular purpose; and

18 (h) Report to the appropriate committees of the legislature, the
19 joint legislative task force on sexual assault forensic examination
20 best practices, and the governor by December 1, 2017, and each
21 December 1st of each subsequent year the project is funded and
22 operating, regarding the status of grant awards, the progress of the
23 grant recipients toward the identified goals in this section, the
24 data required by subsection (4) of this section, and any other
25 relevant information or recommendations related to the project or
26 sexual assault kit policies.

27 (4) Grant recipients must:

28 (a) Perform an inventory of all unsubmitted sexual assault kits
29 in the jurisdiction's possession regardless of where they are stored
30 and submit those sexual assault kits for forensic analysis through
31 the Washington state patrol or another laboratory with the permission
32 of the Washington state patrol;

33 (b) Establish a multidisciplinary cold case or sexual assault
34 investigation team or teams for follow-up investigations and
35 prosecutions resulting from evidence from the testing of previously
36 unsubmitted sexual assault kits. Cold case or sexual assault
37 investigative teams must: Include prosecutors, law enforcement, and
38 victim advocates for the duration of the project; use victim-
39 centered, trauma-informed protocols, including for victim
40 notification; and use protocols and policies established by the

1 Washington association of sheriffs and police chiefs. The grant funds
2 may support personnel costs, including hiring and overtime, to allow
3 for adequate follow-up investigations and prosecutions. Grant awards
4 must be prioritized for eligible applicants with a commitment to
5 colocate assigned prosecutors, law enforcement, and victim advocates
6 for the duration of the grant program;

7 (c) Require participants in the multidisciplinary cold case or
8 sexual assault investigation team or teams to participate in and
9 complete specialized training for victim-centered, trauma-informed
10 investigation and prosecutions;

11 (d) Identify and address individual level, organizational level,
12 and systemic factors that lead to unsubmitted sexual assault kits in
13 the jurisdiction and development of a comprehensive strategy to
14 address the issues, including effecting changes in practice,
15 protocol, and organizational culture, and implementing evidence-
16 based, victim-centered, trauma-informed practices and protocols;

17 (e) Appoint an informed representative to attend meetings of and
18 provide information and assistance to the joint legislative task
19 force on sexual assault forensic examination best practices;

20 (f) Identify and maintain consistent, experienced, and committed
21 leadership of their sexual assault kit initiative; and

22 (g) Track and report the following data to the Washington
23 association of sheriffs and police chiefs, in addition to any data
24 required by the Washington association of sheriffs and police chiefs:
25 The number of kits inventoried; the dates collected and submitted for
26 testing; the number of kits tested; the number of kits with
27 information eligible for entry into the combined DNA index system;
28 the number of combined DNA index system hits; the number of
29 identified suspects; including serial perpetrators; the number of
30 investigations conducted and cases reviewed; the number of charges
31 filed; and the number of convictions.

32 (5) Subject to the availability of amounts appropriated for this
33 specific purpose, the project may also allocate funds for grant
34 recipients to:

35 (a) Create and employ training in relation to sexual assault
36 evidence, victimization and trauma response, and other related topics
37 to improve the quality and outcomes of sexual assault investigations
38 and prosecutions;

39 (b) Enhance victim services and support for past and current
40 victims of sexual assault; or

1 (c) Develop evidence collection, retention, victim notification,
2 and other protocols needed to optimize data sharing, case
3 investigation, prosecution, and victim support.

4 (6) For the purposes of this section:

5 (a) "Eligible applicants" include: Law enforcement agencies,
6 units of local government, or combination of units of local
7 government, prosecutor's offices, or a governmental nonlaw
8 enforcement agency acting as fiscal agent for one of the previously
9 listed types of eligible applicants. A combination of jurisdictions,
10 including contiguous jurisdictions of multiple towns, cities, or
11 counties, may create a task force or other entity for the purposes of
12 applying for and receiving a grant, provided that the relevant
13 prosecutors and law enforcement agencies are acting in partnership in
14 complying with the grant requirements.

15 (b) "Project" means the Washington sexual assault kit initiative
16 project created in this section.

17 (c) "Unsubmitted sexual assault kit" are sexual assault kits that
18 have not been submitted to a forensic laboratory for testing with the
19 combined DNA index system-eligible DNA methodologies as of the
20 effective date of the mandatory testing law in RCW 70.125.090.
21 Unsubmitted sexual assault kits includes partially tested sexual
22 assault kits, which are sexual assault kits that have only been
23 subjected to serological testing, or that have previously been tested
24 only with noncombined DNA index system-eligible DNA methodologies.
25 The project does not include untested sexual assault kits that have
26 been submitted to forensic labs for testing with combined DNA index
27 system-eligible DNA methodologies but are delayed for testing as a
28 result of a backlog of work in the laboratory.

29 **Sec. 2.** 2015 c 247 s 2 (uncodified) is amended to read as
30 follows:

31 (1)(a) ((A)) The joint legislative task force on sexual assault
32 forensic examination best practices is established ((to review)) for
33 the purpose of reviewing best practice models for managing all
34 aspects of sexual assault examinations and for reducing the number of
35 untested sexual assault examination kits in Washington state that
36 were collected prior to the effective date of this section.

37 (i) The caucus leaders from the senate shall appoint one member
38 from each of the two largest caucuses of the senate.

1 (ii) The caucus leaders from the house of representatives shall
2 appoint one member from each of the two largest caucuses of the house
3 of representatives.

4 (iii) The president of the senate and the speaker of the house of
5 representatives shall jointly appoint:

6 (A) One member representing each of the following:

7 (I) The Washington state patrol;

8 (II) The Washington association of sheriffs and police chiefs;

9 (III) The Washington association of prosecuting attorneys;

10 (IV) The Washington defender association or the Washington
11 association of criminal defense lawyers;

12 (V) The Washington association of cities;

13 (VI) The Washington association of county officials;

14 (VII) The Washington coalition of sexual assault programs;

15 (VIII) The office of crime victims advocacy;

16 (IX) The Washington state hospital association;

17 (X) The Washington state forensic investigations council;

18 (XI) A public institution of higher education as defined in RCW
19 28B.10.016; (~~and~~)

20 (XII) A private higher education institution as defined in RCW
21 28B.07.020; and

22 (XIII) The office of the attorney general; and

23 (B) Two members representing survivors of sexual assault.

24 (b) The task force shall choose two cochairs from among its
25 legislative membership. The legislative membership shall convene the
26 initial meeting of the task force.

27 (2) The duties of the task force include, but are not limited to:

28 (a) Researching and determining the number of untested sexual
29 assault examination kits in Washington state;

30 (b) Researching the locations where the untested sexual assault
31 examination kits are stored;

32 (c) Researching, reviewing, and making recommendations regarding
33 legislative policy options for reducing the number of untested sexual
34 assault examination kits;

35 (d) Researching the best practice models both in state and from
36 other states for collaborative responses to victims of sexual assault
37 from the point the sexual assault examination kit is collected to the
38 conclusion of the investigation and providing recommendations
39 regarding any existing gaps in Washington and resources that may be
40 necessary to address those gaps; and

1 (e) Researching, identifying, and making recommendations for
2 securing nonstate funding for testing the sexual assault examination
3 kits, and reporting on progress made toward securing such funding.

4 (3) Staff support for the task force must be provided by the
5 senate committee services and the house of representatives office of
6 program research.

7 (4) Legislative members of the task force must be reimbursed for
8 travel expenses in accordance with RCW 44.04.120. Nonlegislative
9 members, except those representing an employer or organization, are
10 entitled to be reimbursed for travel expenses in accordance with RCW
11 43.03.050 and 43.03.060.

12 (5) The expenses of the task force must be paid jointly by the
13 senate and the house of representatives. Task force meetings and
14 expenditures are subject to approval by the senate facilities and
15 operations committee and the house of representatives executive rules
16 committee, or their successor committees.

17 (6) The first meeting of the task force must occur prior to
18 October 1, 2015. The task force shall submit a preliminary report
19 regarding its initial findings and recommendations to the appropriate
20 committees of the legislature and the governor no later than December
21 1, 2015.

22 (7) The task force must meet no less than twice annually.

23 (8) The task force shall report its findings and recommendations
24 to the appropriate committees of the legislature and the governor by
25 September 30, 2016, and by ((September 30th)) December 1st of ((each
26 subsequent)) the following year.

27 (9) This section expires June 30, 2018.

28 PART II - TRAINING

29 NEW SECTION. **Sec. 3.** A new section is added to chapter 43.101
30 RCW to read as follows:

31 (1) Subject to the availability of amounts appropriated for this
32 specific purpose, the commission shall provide ongoing specialized,
33 intensive, and integrative training for persons responsible for
34 investigating sexual assault cases involving adult victims. The
35 training must be based on a victim-centered, trauma-informed approach
36 to responding to sexual assault. Among other subjects, the training
37 must include content on the neurobiology of trauma and trauma-
38 informed interviewing, counseling, and investigative techniques.

1 (2) The training must: Be based on research-based practices and
2 standards; offer participants an opportunity to practice interview
3 skills and receive feedback from instructors; minimize the trauma of
4 all persons who are interviewed during abuse investigations; provide
5 methods of reducing the number of investigative interviews necessary
6 whenever possible; assure, to the extent possible, that investigative
7 interviews are thorough, objective, and complete; recognize needs of
8 special populations; recognize the nature and consequences of
9 victimization; require investigative interviews to be conducted in a
10 manner most likely to permit the interviewed persons the maximum
11 emotional comfort under the circumstances; address record retention
12 and retrieval; and address documentation of investigative interviews.

13 (3) In developing the training, the commission shall seek advice
14 from the Washington association of sheriffs and police chiefs, the
15 Washington coalition of sexual assault programs, and experts on
16 sexual assault and the neurobiology of trauma. The commission shall
17 consult with the Washington association of prosecuting attorneys in
18 an effort to design training containing consistent elements for all
19 professionals engaged in interviewing and interacting with sexual
20 assault victims in the criminal justice system.

21 (4) The commission shall develop the training and begin offering
22 it by July 1, 2018. Officers assigned to regularly investigate sexual
23 assault involving adult victims shall complete the training within
24 one year of being assigned or by July 1, 2020, whichever is later.

25 NEW SECTION. **Sec. 4.** A new section is added to chapter 43.101
26 RCW to read as follows:

27 Subject to the availability of amounts appropriated for this
28 specific purpose, the commission shall incorporate victim-centered,
29 trauma-informed approaches to policing in the basic law enforcement
30 training curriculum. In modifying the curriculum, the commission
31 shall seek advice from the Washington coalition of sexual assault
32 programs and other experts on sexual assault and the neurobiology of
33 trauma.

34 NEW SECTION. **Sec. 5.** A new section is added to chapter 43.101
35 RCW to read as follows:

36 (1) Subject to the availability of amounts appropriated for this
37 specific purpose, the commission shall develop training on a victim-
38 centered, trauma-informed approach to interacting with victims and

1 responding to sexual assault calls. The curriculum must: Be designed
2 for commissioned patrol officers not regularly assigned to
3 investigate sexual assault cases; be designed for deployment and use
4 within individual law enforcement agencies; include features allowing
5 for it to be used in different environments, which may include
6 multimedia or video components; allow for law enforcement agencies to
7 host it in small segments at different times over several days or
8 weeks, including roll calls. The training must include components on
9 available resources for victims including, but not limited to,
10 material on and references to community-based victim advocates.

11 (2) In developing the training, the commission shall seek advice
12 from the Washington association of sheriffs and police chiefs, the
13 Washington coalition of sexual assault programs, and experts on
14 sexual assault and the neurobiology of trauma.

15 (3) Beginning in 2018, all law enforcement agencies shall
16 annually host the training for commissioned peace officers. All law
17 enforcement agencies shall, to the extent feasible, consult with and
18 feature local community-based victim advocates during the training.

19 **PART III - FUNDING**

20 NEW SECTION. **Sec. 6.** (1) The sexual assault prevention and
21 response account is created in the state treasury. All legislative
22 appropriations and transfers; gifts, grants, and other donations; and
23 all other revenues directed to the account must be deposited into the
24 sexual assault prevention and response account. Moneys in the account
25 may only be spent after appropriation.

26 (2) The legislature must prioritize appropriations from the
27 account for: The Washington sexual assault kit initiative project
28 created in section 1 of this act; the office of crime victims
29 advocacy for the purpose of providing support and services, including
30 educational and vocational training, to victims of sexual assault and
31 trafficking; victim-centered, trauma-informed training for
32 prosecutors, law enforcement, and victim advocates, including, but
33 not limited to, the training in sections 3 through 5 of this act; the
34 Washington state patrol for the purpose of funding the statewide
35 sexual assault kit tracking system and funding the forensic analysis
36 of sexual assault kits.

1 **Sec. 7.** RCW 43.330.470 and 2016 c 173 s 9 are each amended to
2 read as follows:

3 (1) The Washington sexual assault kit program is created within
4 the department for the purpose of accepting private funds
5 (~~conducting~~) to fund forensic analysis of sexual assault kits in
6 the possession of law enforcement agencies but not submitted for
7 analysis as of July 24, 2015, and to fund other related programs
8 aimed at improving the public's response to sexual assault. The
9 director may accept gifts, grants, donations, or moneys from any
10 source for deposit in the Washington sexual assault kit account
11 created under subsection (2) of this section.

12 (2) The Washington sexual assault kit account is created in the
13 custody of the state treasurer. Funds deposited in the Washington
14 sexual assault kit account may be used for the Washington sexual
15 assault kit program established under this section. The Washington
16 sexual assault kit account is subject to allotment procedures under
17 chapter 43.88 RCW, but an appropriation is not required for
18 expenditures.

19 (3) Except when otherwise specified, public funds deposited in
20 the Washington sexual assault kit account must be transferred and
21 used exclusively for the following:

22 (a) Eighty-five percent of the funds for the Washington state
23 patrol bureau of forensic laboratory services for the purpose of
24 conducting forensic analysis of sexual assault kits in the possession
25 of law enforcement agencies but not submitted for forensic analysis
26 as of July 24, 2015; and

27 (b) Fifteen percent of the funds for the office of crime victims
28 advocacy in the department for the purpose of funding grants for
29 sexual assault nurse examiner services and training.

30 (4)(a) Except as otherwise provided in (b) of this subsection,
31 private funds donated to and deposited in the Washington sexual
32 assault kit account must be transferred and used exclusively for the
33 following:

34 (i) Thirty percent for the Washington association of sheriffs and
35 police chiefs for the purpose of funding the Washington sexual
36 assault kit initiative project created in section 1 of this act;

37 (ii) Thirty percent for the Washington state patrol bureau of
38 forensic laboratory services for the purpose of conducting forensic
39 analysis of sexual assault kits in the possession of law enforcement
40 agencies but not submitted for forensic analysis as of July 24, 2015,

1 unless the Washington state patrol bureau of forensic laboratory
2 services deems that the funds are not necessary for this purpose, in
3 which case the funds shall be divided equally for the purposes
4 outlined in (a)(i), (iii), and (iv) of this subsection;

5 (iii) Thirty percent for the criminal justice training commission
6 for the training in sections 3 through 5 of this act;

7 (iv) Ten percent for the office of crime victims advocacy in the
8 department for the purpose of providing services to victims of sexual
9 assault and training for professionals interacting with and providing
10 services to victims of sexual assault.

11 (b) With the consent of the department, a grantor of funds may
12 enter into an agreement with the department for a different
13 allocation of funds specified in (a) of this subsection, provided
14 that the funds are distributed for the purpose of the program created
15 in this section. Within thirty days of entering into an agreement
16 under this subsection (4)(b), the department shall notify the sexual
17 assault forensic examination best practices task force and the
18 appropriate committees of the legislature.

19 (5) This section expires June 30, 2022.

20 **Sec. 8.** RCW 43.84.092 and 2016 c 194 s 5, 2016 c 161 s 20, and
21 2016 c 112 s 4 are each reenacted and amended to read as follows:

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

25 (2) The treasury income account shall be utilized to pay or
26 receive funds associated with federal programs as required by the
27 federal cash management improvement act of 1990. The treasury income
28 account is subject in all respects to chapter 43.88 RCW, but no
29 appropriation is required for refunds or allocations of interest
30 earnings required by the cash management improvement act. Refunds of
31 interest to the federal treasury required under the cash management
32 improvement act fall under RCW 43.88.180 and shall not require
33 appropriation. The office of financial management shall determine the
34 amounts due to or from the federal government pursuant to the cash
35 management improvement act. The office of financial management may
36 direct transfers of funds between accounts as deemed necessary to
37 implement the provisions of the cash management improvement act, and
38 this subsection. Refunds or allocations shall occur prior to the

1 distributions of earnings set forth in subsection (4) of this
2 section.

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

12 (4) Monthly, the state treasurer shall distribute the earnings
13 credited to the treasury income account. The state treasurer shall
14 credit the general fund with all the earnings credited to the
15 treasury income account except:

16 (a) The following accounts and funds shall receive their
17 proportionate share of earnings based upon each account's and fund's
18 average daily balance for the period: The aeronautics account, the
19 aircraft search and rescue account, the Alaskan Way viaduct
20 replacement project account, the brownfield redevelopment trust fund
21 account, the budget stabilization account, the capital vessel
22 replacement account, the capitol building construction account, the
23 Cedar River channel construction and operation account, the Central
24 Washington University capital projects account, the charitable,
25 educational, penal and reformatory institutions account, the Chehalis
26 basin account, the cleanup settlement account, the Columbia river
27 basin water supply development account, the Columbia river basin
28 taxable bond water supply development account, the Columbia river
29 basin water supply revenue recovery account, the common school
30 construction fund, the community forest trust account, the connecting
31 Washington account, the county arterial preservation account, the
32 county criminal justice assistance account, the deferred compensation
33 administrative account, the deferred compensation principal account,
34 the department of licensing services account, the department of
35 retirement systems expense account, the developmental disabilities
36 community trust account, the diesel idle reduction account, the
37 drinking water assistance account, the drinking water assistance
38 administrative account, the drinking water assistance repayment
39 account, the Eastern Washington University capital projects account,
40 the Interstate 405 express toll lanes operations account, the

1 education construction fund, the education legacy trust account, the
2 election account, the electric vehicle charging infrastructure
3 account, the energy freedom account, the energy recovery act account,
4 the essential rail assistance account, The Evergreen State College
5 capital projects account, the federal forest revolving account, the
6 ferry bond retirement fund, the freight mobility investment account,
7 the freight mobility multimodal account, the grade crossing
8 protective fund, the public health services account, the high
9 capacity transportation account, the state higher education
10 construction account, the higher education construction account, the
11 highway bond retirement fund, the highway infrastructure account, the
12 highway safety fund, the high occupancy toll lanes operations
13 account, the hospital safety net assessment fund, the industrial
14 insurance premium refund account, the judges' retirement account, the
15 judicial retirement administrative account, the judicial retirement
16 principal account, the local leasehold excise tax account, the local
17 real estate excise tax account, the local sales and use tax account,
18 the marine resources stewardship trust account, the medical aid
19 account, the mobile home park relocation fund, the money-purchase
20 retirement savings administrative account, the money-purchase
21 retirement savings principal account, the motor vehicle fund, the
22 motorcycle safety education account, the multimodal transportation
23 account, the multiuse roadway safety account, the municipal criminal
24 justice assistance account, the natural resources deposit account,
25 the oyster reserve land account, the pension funding stabilization
26 account, the perpetual surveillance and maintenance account, the
27 pollution liability insurance agency underground storage tank
28 revolving account, the public employees' retirement system plan 1
29 account, the public employees' retirement system combined plan 2 and
30 plan 3 account, the public facilities construction loan revolving
31 account beginning July 1, 2004, the public health supplemental
32 account, the public works assistance account, the Puget Sound capital
33 construction account, the Puget Sound ferry operations account, the
34 Puget Sound taxpayer accountability account, the real estate
35 appraiser commission account, the recreational vehicle account, the
36 regional mobility grant program account, the resource management cost
37 account, the rural arterial trust account, the rural mobility grant
38 program account, the rural Washington loan fund, the sexual assault
39 prevention and response account, the site closure account, the
40 skilled nursing facility safety net trust fund, the small city

1 pavement and sidewalk account, the special category C account, the
2 special wildlife account, the state employees' insurance account, the
3 state employees' insurance reserve account, the state investment
4 board expense account, the state investment board commingled trust
5 fund accounts, the state patrol highway account, the state route
6 number 520 civil penalties account, the state route number 520
7 corridor account, the state wildlife account, the supplemental
8 pension account, the Tacoma Narrows toll bridge account, the
9 teachers' retirement system plan 1 account, the teachers' retirement
10 system combined plan 2 and plan 3 account, the tobacco prevention and
11 control account, the tobacco settlement account, the toll facility
12 bond retirement account, the transportation 2003 account (nickel
13 account), the transportation equipment fund, the transportation fund,
14 the transportation future funding program account, the transportation
15 improvement account, the transportation improvement board bond
16 retirement account, the transportation infrastructure account, the
17 transportation partnership account, the traumatic brain injury
18 account, the tuition recovery trust fund, the University of
19 Washington bond retirement fund, the University of Washington
20 building account, the volunteer firefighters' and reserve officers'
21 relief and pension principal fund, the volunteer firefighters' and
22 reserve officers' administrative fund, the Washington judicial
23 retirement system account, the Washington law enforcement officers'
24 and firefighters' system plan 1 retirement account, the Washington
25 law enforcement officers' and firefighters' system plan 2 retirement
26 account, the Washington public safety employees' plan 2 retirement
27 account, the Washington school employees' retirement system combined
28 plan 2 and 3 account, the Washington state health insurance pool
29 account, the Washington state patrol retirement account, the
30 Washington State University building account, the Washington State
31 University bond retirement fund, the water pollution control
32 revolving administration account, the water pollution control
33 revolving fund, the Western Washington University capital projects
34 account, the Yakima integrated plan implementation account, the
35 Yakima integrated plan implementation revenue recovery account, and
36 the Yakima integrated plan implementation taxable bond account.
37 Earnings derived from investing balances of the agricultural
38 permanent fund, the normal school permanent fund, the permanent
39 common school fund, the scientific permanent fund, the state

1 university permanent fund, and the state reclamation revolving
2 account shall be allocated to their respective beneficiary accounts.

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

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

12 NEW SECTION. **Sec. 9.** If specific funding for the purposes of
13 this act, referencing this act by bill or chapter number, is not
14 provided by June 30, 2017, in the omnibus appropriations act, this
15 act is null and void.

Passed by the House April 20, 2017.

Passed by the Senate April 20, 2017.

Approved by the Governor May 16, 2017.

Filed in Office of Secretary of State May 16, 2017.

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