

CERTIFICATION OF ENROLLMENT

SUBSTITUTE SENATE BILL 6190

Chapter 250, Laws of 2020

66th Legislature
2020 Regular Session

DEVELOPMENTAL DISABILITIES COMMUNITY TRUST--FUNDS

EFFECTIVE DATE: June 11, 2020

Passed by the Senate March 10, 2020
Yeas 47 Nays 1

CYRUS HABIB

President of the Senate

Passed by the House March 4, 2020
Yeas 95 Nays 2

LAURIE JINKINS

**Speaker of the House of
Representatives**

Approved March 31, 2020 11:12 AM

JAY INSLEE

Governor of the State of Washington

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.

BRAD HENDRICKSON

Secretary

FILED

March 31, 2020

**Secretary of State
State of Washington**

SUBSTITUTE SENATE BILL 6190

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)

READ FIRST TIME 01/28/20.

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

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

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

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

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

17 (a) All net proceeds from leases or sales of real property,
18 conservation easements, and sales of timber, from the state
19 properties at the Fircrest residential habilitation center, the
20 Lakeland Village residential habilitation center, the Rainier school,
21 and the Yakima Valley school. However, real property that is

1 determined by the department of social and health services to be
2 required for the operations of the residential habilitation centers
3 is excluded from the real property that may be leased or sold for the
4 benefit of the account. In addition, real property owned by the
5 charitable, educational, penal, and reformatory institutions trust,
6 and revenue therefrom, is excluded; and

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

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

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

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

28 ~~(6)) for:~~

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

31 (b) Investment expenses of the state investment board.

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

38 (6) Expenditures from the account must supplement, and may not
39 replace, supplant, or reduce current state expenditure levels for

1 supports and services in the community setting for eligible persons
2 with developmental disabilities.

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

8 (b) All investments made by the state investment board shall be
9 made with the degree of judgment and care required under RCW
10 43.33A.140 and the investment policy established by the state
11 investment board.

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

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

Passed by the Senate March 10, 2020.

Passed by the House March 4, 2020.

Approved by the Governor March 31, 2020.

Filed in Office of Secretary of State March 31, 2020.

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