H-0341.1

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**HOUSE BILL 1238**

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**State of Washington 67th Legislature 2021 Regular Session**

**By** Representatives Chase, Dolan, Jacobsen, Caldier, Chambers, Sutherland, and Klippert

AN ACT Relating to creating the help out Washington state government program to allow Washingtonians to voluntarily contribute to government expenditures; amending RCW 43.79.460; adding a new section to chapter 43.08 RCW; and creating new sections.

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

NEW SECTION. **Sec.**  The legislature acknowledges that some Washingtonians may believe that they should pay more for the operation of state government. The legislature intends to establish the help out Washington state government program to facilitate voluntary contributions for the costs of government expenditures.

NEW SECTION. **Sec.**  A new section is added to chapter 43.08 RCW to read as follows:

(1) The help out Washington state government program is created in the office of the state treasurer. Under the program, the state treasurer may accept donations for the costs of state and local government from individuals, businesses, and other entities, that wish to make a voluntary monetary contribution for this purpose.

(2) All donations received under this program must be deposited in the help out Washington state government account created in this section.

(3) Monthly, the treasurer shall distribute these contributions as follows:

(a) Where the donor indicates that the contribution is for a particular agency of state government, the treasurer must deposit that donation in the agency's subaccount of the incentive savings account. Where the donor indicates that the donation is for a particular activity of that agency, the treasurer must communicate that condition to the agency, and the agency may spend that funding only for that purpose, if it otherwise has legal or other statutory authority to do so.

(b) Where the donor does not indicate whether the contribution is for a particular activity of the agency, the treasurer must deposit the donation in the various agencies' subaccounts of the incentive savings account in proportion to the agencies' respective proportion of state general fund appropriations in the most recent state operating budget.

(c) Where the donor indicates that the contribution is for a particular political subdivision, the treasurer must distribute the funding to the appropriate county treasurer or fiscal agent for the particular political subdivision. Where the donor indicates that the contribution is for a particular administrative unit of the political subdivision, including but not limited to a particular school within a school district, then the treasurer must communicate that condition to the county treasurer or fiscal agent.

(d) Nothing in this section authorizes a state agency or political subdivision to make expenditures for a purpose for which it does not otherwise have statutory or other legal authority.

(4) The help out Washington state government account is created in the custody of the state treasurer. Only the state treasurer or the treasurer's designee may authorize expenditures from the account. Expenditures from the account may be used only for distributions authorized under this section. An appropriation is not required for expenditures.

(5) The office of the state treasurer shall post on its website a monthly report on contributions to the help out Washington state government account, corresponding expenditures from the respective agencies' subaccounts of the incentive savings account, and funding provided to local governments.

**Sec.**  RCW 43.79.460 and 2017 3rd sp.s. c 1 s 971 are each amended to read as follows:

(1) The savings incentive account is created in the custody of the state treasurer. The account shall consist of all moneys appropriated to the account by the legislature. The account is subject to the allotment procedures under chapter 43.88 RCW, but no appropriation is required for expenditures from the account.

(2) Within the savings incentive account, the state treasurer may create subaccounts to be credited with incentive savings attributable to individual state agencies, as determined by the office of financial management in consultation with the legislative fiscal committees. Moneys deposited in the subaccounts may be expended only on the authorization of the agency's executive head or designee and only for the purpose of one-time expenditures to improve the quality, efficiency, and effectiveness of services to customers of the state, such as one-time expenditures for employee training, employee incentives, technology improvements, new work processes, or performance measurement. Funds may not be expended from the account to establish new programs or services, expand existing programs or services, or incur ongoing costs that would require future expenditures. Moneys distributed to an agency's subaccount from the help out Washington state government account must be expended under the conditions of this section, except that if those moneys were contributed for a particular purpose the agency may spend those moneys for that purpose if it otherwise has statutory or other legal authority to do so.

(3) For purposes of this section, "incentive savings" means state general fund appropriations that are unspent as of June 30th of a fiscal year, excluding any amounts included in across-the-board reductions under RCW 43.88.110 and excluding unspent appropriations for:

(a) Caseload and enrollment in entitlement programs, except to the extent that an agency has clearly demonstrated that efficiencies have been achieved in the administration of the entitlement program. "Entitlement program," as used in this section, includes programs for which specific sums of money are appropriated for pass-through to third parties or other entities;

(b) Enrollments in state institutions of higher education;

(c) Except for fiscal year 2011, a specific amount contained in a condition or limitation to an appropriation in the biennial appropriations act, if the agency did not achieve the specific purpose or objective of the condition or limitation;

(d) Debt service on state obligations; and

(e) State retirement system obligations.

(4) The office of financial management, after consulting with the legislative fiscal committees, shall report the amount of savings incentives achieved.

(5) ((~~For fiscal year 2010, the legislature may transfer from the savings incentive account to the state general fund such amounts as reflect the fund balance of the account attributable to unspent state general fund appropriations for fiscal year 2009. For fiscal year 2011, the legislature may transfer from the savings incentive account to the state general fund such amounts as reflect the fund balance of the account attributable to unspent state general fund appropriations for fiscal year 2010. For fiscal year 2011, the legislature may transfer from the savings incentive account to the state general fund eight million dollars or as much as reflects the fund balance of the account attributable to unspent agency credits prior to fiscal year 2009. Credits for legislative and judicial agencies are not included in this action, with the exception and upon consent of the supreme court, court of appeals, office of public defense, and office of civil legal aid.~~

~~(6) For fiscal years 2012 and 2013, the legislature may transfer from the savings incentive account to the state general fund such amounts as reflect the fund balance of the account attributable to unspent general fund appropriations for fiscal years 2011 and 2012.~~

~~(7) For fiscal year 2016, the legislature may transfer from the savings incentive account to the state general fund such amounts as reflect the fund balance of the account attributable to unspent agency credit. Credits for legislative and judicial agencies are not included in this action.~~

~~(8) For the 2017-2019 fiscal biennium, the joint legislative audit and review committee and the legislative evaluation and accountability program committee may use moneys deposited in their subaccounts for one-time costs related to their office relocation to the 1063 building.~~)) If an agency receives a voluntary contribution distributed from the help out Washington state government account, it must report to the treasurer on how it expended the contribution.

NEW SECTION. **Sec.**  This act may be known and cited as the help out Washington state government act.

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