

SSB 5129 - S AMD 21
By Senator Harris

WITHDRAWN 02/12/2025

1 On page 80, after line 12, insert the following:

2 "Sec. 32. RCW 64.38.010 and 2023 c 337 s 2 are each amended to
3 read as follows:

4 For purposes of this chapter:

5 (1) "Assessment" means all sums chargeable to an owner by an
6 association in accordance with RCW 64.38.020.

7 (2) "Baseline funding plan" means establishing a reserve funding
8 goal of maintaining a reserve account balance above \$0 throughout the
9 30-year study period described under RCW 64.38.065.

10 (3) "Board of directors" or "board" means the body, regardless of
11 name, with primary authority to manage the affairs of the
12 association.

13 (4) "Common areas" means property owned, or otherwise maintained,
14 repaired or administered by the association.

15 (5) "Common expense" means the costs incurred by the association
16 to exercise any of the powers provided for in this chapter.

17 (6) "Contribution rate" means, in a reserve study as described in
18 RCW 64.38.065, the amount contributed to the reserve account so that
19 the association will have cash reserves to pay major maintenance,
20 repair, or replacement costs without the need of a special
21 assessment.

22 (7) "Effective age" means the difference between the estimated
23 useful life and remaining useful life.

24 (8) "Electronic transmission" or "electronically transmitted"
25 means any electronic communication not directly involving the
26 physical transfer of a writing in a tangible medium, but that may be
27 retained, retrieved, and reviewed by the sender and the recipient of
28 the communication, and that may be directly reproduced in a tangible
29 medium by a sender and recipient.

30 (9) "Full funding plan" means setting a reserve funding goal of
31 achieving one hundred percent fully funded reserves by the end of the
32 30-year study period described under RCW 64.38.065, in which the

1 reserve account balance equals the sum of the deteriorated portion of
2 all reserve components.

3 (10) "Fully funded balance" means the current value of the
4 deteriorated portion, not the total replacement value, of all the
5 reserve components. The fully funded balance for each reserve
6 component is calculated by multiplying the current replacement cost
7 of the reserve component by its effective age, then dividing the
8 result by the reserve component's useful life. The sum total of all
9 reserve components' fully funded balances is the association's fully
10 funded balance.

11 (11) "Governing documents" means the articles of incorporation,
12 bylaws, plat, declaration of covenants, conditions, and restrictions,
13 rules and regulations of the association, or other written instrument
14 by which the association has the authority to exercise any of the
15 powers provided for in this chapter or to manage, maintain, or
16 otherwise affect the property under its jurisdiction.

17 (12) "Homeowners' association" or "association" means a
18 corporation, unincorporated association, or other legal entity, each
19 member of which is an owner of residential real property located
20 within the association's jurisdiction, as described in the governing
21 documents, and by virtue of membership or ownership of property is
22 obligated to pay real property taxes, insurance premiums, maintenance
23 costs, or for improvement of real property other than that which is
24 owned by the member. "Homeowners' association" does not mean an
25 association created under chapter 64.32, 64.34, or 64.90 RCW.

26 (13) "Lot" means a physical portion of the real property located
27 within an association's jurisdiction designated for separate
28 ownership.

29 (14) "Office" means the office of the homeowners' association
30 ombuds.

31 (15) "Ombuds" means the homeowners' association ombuds.

32 (16) "Owner" means the owner of a lot, but does not include a
33 person who has an interest in a lot solely as security for an
34 obligation. "Owner" also means the vendee, not the vendor, of a lot
35 under a real estate contract.

36 ((+15)) (17) "Remaining useful life" means the estimated time,
37 in years, before a reserve component will require major maintenance,
38 repair, or replacement to perform its intended function.

1 (~~(16)~~) (18) "Replacement cost" means the current cost of
2 replacing, repairing, or restoring a reserve component to its
3 original functional condition.

4 (~~(17)~~) (19) "Reserve component" means a common element whose
5 cost of maintenance, repair, or replacement is infrequent,
6 significant, and impractical to include in an annual budget.

7 (~~(18)~~) (20) "Reserve study professional" means an independent
8 person who is suitably qualified by knowledge, skill, experience,
9 training, or education to prepare a reserve study in accordance with
10 RCW 64.38.065 and 64.38.070.

11 (~~(19)~~) (21) "Residential real property" means any real
12 property, the use of which is limited by law, covenant or otherwise
13 to primarily residential or recreational purposes.

14 (~~(20)~~) (22) "Significant assets" means that the current
15 replacement value of the major reserve components is 75 percent or
16 more of the gross budget of the association, excluding the
17 association's reserve account funds.

18 (~~(21)~~) (23) "Tangible medium" means a writing, copy of a
19 writing, facsimile, or a physical reproduction, each on paper or on
20 other tangible material.

21 (~~(22)~~) (24) "Useful life" means the estimated time, between
22 years, that major maintenance, repair, or replacement is estimated to
23 occur.

24 NEW SECTION. **Sec. 33.** A new section is added to chapter 64.38
25 RCW to read as follows:

26 (1) There is established within the office of the attorney
27 general an office of the homeowners' association ombuds.

28 (2) The attorney general must appoint the ombuds, consistent with
29 the qualifications for the ombuds set forth in section 34 of this
30 act.

31 (3) The ombuds must be the head of the office and is charged with
32 managing the office consistent with the powers and duties vested in
33 the ombuds under section 35 of this act within the amounts
34 appropriated for the office.

35 (4) The ombuds must serve at the pleasure of the attorney
36 general.

37 (5) A vacancy in the ombuds position must be filled in the same
38 manner as the original appointment.

1 NEW SECTION. **Sec. 34.** A new section is added to chapter 64.38
2 RCW to read as follows:

3 The ombuds:

4 (1) Must be a member in good standing of the bar of this state;

5 (2) Must have at least five years of experience in the practice
6 of law in this state;

7 (3) Must have experience in real estate law, including
8 homeowners' association law;

9 (4) Must have experience in conflict and alternative dispute
10 resolution;

11 (5) May not engage in any other business or profession that
12 conflicts with the powers and duties of the position or the office;
13 and

14 (6) Must comply with all restrictions on political activity
15 applicable to office of the attorney general employees.

16 NEW SECTION. **Sec. 35.** A new section is added to chapter 64.38
17 RCW to read as follows:

18 The ombuds:

19 (1) Must contact homeowners' associations, the board of directors
20 of homeowners' associations, individual owners in homeowners'
21 associations, and other interested parties to inform them of the
22 services available through the office. In addition to any other
23 method used to publicize the office's services, the ombuds must
24 maintain a website containing information about the office, contact
25 information, the services available through the office, any
26 information required to be placed on the website in accordance with
27 this chapter, and any other information deemed appropriate by the
28 ombuds;

29 (2) Must assist homeowners' associations, the board of directors
30 of homeowners' associations, individual owners in homeowners'
31 associations, and other interested parties in understanding their
32 rights and responsibilities and the processes available to them
33 according to the law, rules, regulations, and documents governing
34 their respective homeowners' associations. The ombuds is not the
35 attorney for a homeowners' association, the board of directors of a
36 homeowners' association, an individual owner in a homeowners'
37 association, or another interested party. An attorney-client
38 relationship is not implied or established by the ombuds'
39 communication with such persons, and the ombuds may not act as or

1 appear to act as an attorney in a legal action brought by such
2 persons;

3 (3) Must organize and conduct meetings to educate homeowners'
4 associations, the board of directors of homeowners' associations,
5 individual owners in homeowners' associations, and other interested
6 parties about their rights and responsibilities and the processes
7 available to them according to the law, rules, regulations, and
8 documents governing their respective homeowners' association;

9 (4) Must prepare and publish educational and reference materials
10 about homeowners' associations and make these resources available in
11 print and on the office's website. The materials about homeowners'
12 associations must include general information about the roles,
13 rights, and responsibilities of the various parties, suggestions for
14 the orderly operation of the homeowners' association, mechanisms for
15 internal dispute resolution, or any other information deemed
16 appropriate by the ombuds;

17 (5) Must develop and publicize procedures intended to result in
18 fair elections for members and officers of a homeowners' association;

19 (6) Must provide monitors and vote counting services to
20 homeowners' associations, intended to result in fair elections for
21 members and officers of a homeowners' association, when 15 percent of
22 the total voting interests of a homeowners' association, or six
23 owners, whichever is greater, petition the ombuds to do so;

24 (7) Must provide meetings, mediation, or other forms of
25 alternative dispute resolution as requested by homeowners'
26 associations, the board of directors of homeowners' associations,
27 individual owners in homeowners' associations, or other interested
28 parties;

29 (8) May receive complaints from homeowners' associations, the
30 board of directors of homeowners' associations, individual owners in
31 homeowners' associations, or other interested parties regarding
32 potential violations of the law, rules, regulations, or documents
33 governing their respective homeowners' associations;

34 (9) Must investigate any complaint received and, if meritorious
35 and appropriate, provide meetings, mediation, or other forms of
36 alternative dispute resolution to those parties involved to assist in
37 the resolution of the complaint;

38 (10) May refer meritorious violations of existing law to the
39 attorney general or other appropriate law enforcement agency for
40 prosecution;

1 (11) May subpoena witnesses, compel their attendance and
2 testimony, administer oaths and affirmations, take evidence, and
3 require by subpoena the production of books, papers, records, or
4 other evidence needed for the exercise of the powers or the
5 performance of the duties vested in the ombuds under this section.
6 The power granted in this subsection (11) may also be exercised by
7 any other employee of the office who is a member in good standing of
8 the bar of this state;

9 (12) Must establish and publish, in print and on the office's
10 website, procedural rules for meetings, mediation, or other forms of
11 alternative dispute resolution organized under this section;

12 (13) Must establish and publish, in print and on the office's
13 website, procedures and forms for accepting complaints from
14 homeowners' associations, the board of directors of homeowners'
15 associations, individual owners in homeowners' associations, or other
16 interested parties regarding potential violations of the law, rules,
17 regulations, or documents governing their respective homeowners'
18 associations;

19 (14) Must establish an annual fee by rule for: Meetings,
20 mediation, or other forms of alternative dispute resolution; election
21 monitoring; vote counting; or other services as provided by the
22 ombuds under this section. The fee amount must be levied upon each
23 homeowners' association in the state, be adjusted for each
24 homeowners' association based on the size of the homeowners'
25 association, and be deposited in the office of the homeowners'
26 association ombuds account created in section 37 of this act;

27 (15) Must provide an annual report of the office's activities to
28 the governor, attorney general, legislature, and chief justice of the
29 supreme court by December 1st of each year. Each report must contain:

30 (a) Statistics on the number of inquiries and complaints handled
31 by the office;

32 (b) Information on education and outreach efforts by the office;

33 (c) Concerns expressed to the office by homeowners' associations,
34 the board of directors of homeowners' associations, individual owners
35 in homeowners' associations, or other interested parties;

36 (d) Legal developments impacting homeowners' associations;

37 (e) Recommendations for changes to state law or rules of court
38 procedure designed to improve the regulation and operation of
39 homeowners' associations made by the ombuds; and

40 (f) Any other information deemed appropriate by the ombuds;

1 (16) May organize and hold public meetings as necessary to gain a
2 comprehensive sense of the issues facing homeowners' associations in
3 this state. When such meetings are held, at least one meeting must be
4 held in each county at a convenient place within each county, and the
5 information obtained from these meetings must be made a part of the
6 report issued under subsection (15) of this section;

7 (17) May perform any other function necessary to fulfill the
8 powers and duties outlined in this section;

9 (18) Must direct the work of the office consistent with the
10 powers and duties established under this section; and

11 (19) May employ and supervise staff necessary to assist in
12 carrying out the powers and duties established under this section
13 within the amounts appropriated for the office.

14 NEW SECTION. **Sec. 36.** A new section is added to chapter 64.38
15 RCW to read as follows:

16 (1) When a homeowners' association, the board of directors of a
17 homeowners' association, or individual owner in a homeowners'
18 association contacts the office to make an inquiry, request services,
19 or file a complaint, the homeowners' association, board of directors,
20 or individual owner must provide the office with at least the
21 following information regarding the homeowners' association at issue:

22 (a) The name, address, telephone number, and any other contact
23 information for the homeowners' association;

24 (b) The name of the person engaged in property management for the
25 homeowners' association or the name of the person who manages the
26 property at the site of the homeowners' association;

27 (c) The name, mailing address, telephone number, and any other
28 contact information for the board of directors of the homeowners'
29 association;

30 (d) The governing documents for the homeowners' association;

31 (e) The annual budget adopted by the homeowners' association;

32 (f) The number of units in the homeowners' association; and

33 (g) The total annual assessment made by the homeowners'
34 association.

35 (2) The ombuds may waive the requirements under subsection (1) of
36 this section when appropriate.

37 NEW SECTION. **Sec. 37.** A new section is added to chapter 64.38
38 RCW to read as follows:

1 The office of the homeowners' association ombuds account is
2 created in the state treasury. All receipts from fees collected under
3 section 35(14) of this act must be deposited into the account. Moneys
4 in the account may be spent only after appropriation. Expenditures
5 from the account may be used only for the purposes of this act.

6 **Sec. 38.** RCW 43.84.092 and 2024 c 210 s 4 and 2024 c 168 s 12
7 are each reenacted and amended to read as follows:

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

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

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

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

1 (a) The following accounts and funds shall receive their
2 proportionate share of earnings based upon each account's and fund's
3 average daily balance for the period: The abandoned recreational
4 vehicle disposal account, the aeronautics account, the Alaskan Way
5 viaduct replacement project account, the ambulance transport fund,
6 the budget stabilization account, the capital vessel replacement
7 account, the capitol building construction account, the Central
8 Washington University capital projects account, the charitable,
9 educational, penal and reformatory institutions account, the Chehalis
10 basin account, the Chehalis basin taxable account, the clean fuels
11 credit account, the clean fuels transportation investment account,
12 the cleanup settlement account, the climate active transportation
13 account, the climate transit programs account, the Columbia river
14 basin water supply development account, the Columbia river basin
15 taxable bond water supply development account, the Columbia river
16 basin water supply revenue recovery account, the common school
17 construction fund, the community forest trust account, the connecting
18 Washington account, the county arterial preservation account, the
19 county criminal justice assistance account, the covenant
20 homeownership account, the deferred compensation administrative
21 account, the deferred compensation principal account, the department
22 of licensing services account, the department of retirement systems
23 expense account, the developmental disabilities community services
24 account, the diesel idle reduction account, the opioid abatement
25 settlement account, the drinking water assistance account, the
26 administrative subaccount of the drinking water assistance account,
27 the early learning facilities development account, the early learning
28 facilities revolving account, the Eastern Washington University
29 capital projects account, the education construction fund, the
30 education legacy trust account, the election account, the electric
31 vehicle account, the energy freedom account, the energy recovery act
32 account, the essential rail assistance account, The Evergreen State
33 College capital projects account, the fair start for kids account,
34 the family medicine workforce development account, the ferry bond
35 retirement fund, the fish, wildlife, and conservation account, the
36 freight mobility investment account, the freight mobility multimodal
37 account, the grade crossing protective fund, the higher education
38 retirement plan supplemental benefit fund, the Washington student
39 loan account, the highway bond retirement fund, the highway
40 infrastructure account, the highway safety fund, the hospital safety

1 net assessment fund, the Interstate 5 bridge replacement project
2 account, the Interstate 405 and state route number 167 express toll
3 lanes account, the judges' retirement account, the judicial
4 retirement administrative account, the judicial retirement principal
5 account, the limited fish and wildlife account, the local leasehold
6 excise tax account, the local real estate excise tax account, the
7 local sales and use tax account, the marine resources stewardship
8 trust account, the medical aid account, the money-purchase retirement
9 savings administrative account, the money-purchase retirement savings
10 principal account, the motor vehicle fund, the motorcycle safety
11 education account, the move ahead WA account, the move ahead WA
12 flexible account, the multimodal transportation account, the multiuse
13 roadway safety account, the municipal criminal justice assistance
14 account, the oyster reserve land account, the pension funding
15 stabilization account, the perpetual surveillance and maintenance
16 account, the pilotage account, the pollution liability insurance
17 agency underground storage tank revolving account, the public
18 employees' retirement system plan 1 account, the public employees'
19 retirement system combined plan 2 and plan 3 account, the public
20 facilities construction loan revolving account, the public health
21 supplemental account, the public works assistance account, the Puget
22 Sound capital construction account, the Puget Sound ferry operations
23 account, the Puget Sound Gateway facility account, the Puget Sound
24 taxpayer accountability account, the real estate appraiser commission
25 account, the recreational vehicle account, the regional mobility
26 grant program account, the reserve officers' relief and pension
27 principal fund, the resource management cost account, the rural
28 arterial trust account, the rural mobility grant program account, the
29 rural Washington loan fund, the second injury fund, the sexual
30 assault prevention and response account, the site closure account,
31 the skilled nursing facility safety net trust fund, the small city
32 pavement and sidewalk account, the special category C account, the
33 special wildlife account, the state hazard mitigation revolving loan
34 account, the state investment board expense account, the state
35 investment board commingled trust fund accounts, the state patrol
36 highway account, the state reclamation revolving account, the state
37 route number 520 civil penalties account, the state route number 520
38 corridor account, the statewide broadband account, the statewide
39 tourism marketing account, the supplemental pension account, the
40 Tacoma Narrows toll bridge account, the teachers' retirement system

1 plan 1 account, the teachers' retirement system combined plan 2 and
2 plan 3 account, the tobacco prevention and control account, the
3 tobacco settlement account, the toll facility bond retirement
4 account, the transportation 2003 account (nickel account), the
5 transportation equipment fund, the JUDY transportation future funding
6 program account, the transportation improvement account, the
7 transportation improvement board bond retirement account, the
8 transportation infrastructure account, the transportation partnership
9 account, the traumatic brain injury account, the tribal opioid
10 prevention and treatment account, the University of Washington bond
11 retirement fund, the University of Washington building account, the
12 voluntary cleanup account, the volunteer firefighters' relief and
13 pension principal fund, the volunteer firefighters' and reserve
14 officers' administrative fund, the vulnerable roadway user education
15 account, the Washington judicial retirement system account, the
16 Washington law enforcement officers' and firefighters' system plan 1
17 retirement account, the Washington law enforcement officers' and
18 firefighters' system plan 2 retirement account, the Washington public
19 safety employees' plan 2 retirement account, the Washington school
20 employees' retirement system combined plan 2 and 3 account, the
21 Washington state patrol retirement account, the Washington State
22 University building account, the Washington State University bond
23 retirement fund, the water pollution control revolving administration
24 account, the water pollution control revolving fund, the Western
25 Washington University capital projects account, the Yakima integrated
26 plan implementation account, the Yakima integrated plan
27 implementation revenue recovery account, and the Yakima integrated
28 plan implementation taxable bond account. Earnings derived from
29 investing balances of the agricultural permanent fund, the normal
30 school permanent fund, the office of the homeowners' association
31 ombuds account, the permanent common school fund, the scientific
32 permanent fund, and the state university permanent fund shall be
33 allocated to their respective beneficiary accounts.

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

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

4 **Sec. 39.** RCW 43.84.092 and 2024 c 210 s 5 and 2024 c 168 s 13
5 are each reenacted and amended to read as follows:

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

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

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

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

38 (a) The following accounts and funds shall receive their
39 proportionate share of earnings based upon each account's and fund's

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

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

1 account, the toll facility bond retirement account, the
2 transportation 2003 account (nickel account), the transportation
3 equipment fund, the JUDY transportation future funding program
4 account, the transportation improvement account, the transportation
5 improvement board bond retirement account, the transportation
6 infrastructure account, the transportation partnership account, the
7 traumatic brain injury account, the tribal opioid prevention and
8 treatment account, the University of Washington bond retirement fund,
9 the University of Washington building account, the voluntary cleanup
10 account, the volunteer firefighters' relief and pension principal
11 fund, the volunteer firefighters' and reserve officers'
12 administrative fund, the vulnerable roadway user education account,
13 the Washington judicial retirement system account, the Washington law
14 enforcement officers' and firefighters' system plan 1 retirement
15 account, the Washington law enforcement officers' and firefighters'
16 system plan 2 retirement account, the Washington public safety
17 employees' plan 2 retirement account, the Washington school
18 employees' retirement system combined plan 2 and 3 account, the
19 Washington state patrol retirement account, the Washington State
20 University building account, the Washington State University bond
21 retirement fund, the water pollution control revolving administration
22 account, the water pollution control revolving fund, the Western
23 Washington University capital projects account, the Yakima integrated
24 plan implementation account, the Yakima integrated plan
25 implementation revenue recovery account, and the Yakima integrated
26 plan implementation taxable bond account. Earnings derived from
27 investing balances of the agricultural permanent fund, the normal
28 school permanent fund, the office of the homeowners' association
29 ombuds account, the permanent common school fund, the scientific
30 permanent fund, and the state university permanent fund shall be
31 allocated to their respective beneficiary accounts.

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

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

4 Renumber the remaining sections consecutively and correct any
5 internal references accordingly.

6 On page 80, after line 21, insert the following:

7 "NEW SECTION. **Sec. 36.** Section 38 of this act expires July 1,
8 2028.

9 NEW SECTION. **Sec. 37.** Section 39 of this act takes effect July
10 1, 2028."

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By Senator Harris

WITHDRAWN 02/12/2025

11 On page 1, line 6 of the title, after "64.90.665," strike "and"
12 and after "61.24.030" insert ", and 64.38.010; reenacting and
13 amending RCW 43.84.092 and 43.84.092"

14 On page 1, beginning on line 6 of the title, after "adding"
15 strike "a new section" and insert "new sections"

16 On page 1, line 10 of the title, after "providing" strike "an
17 expiration date" and insert "expiration dates"

EFFECT: Creates an office of the homeowners' association ombuds
in the Attorney General's Office and requires the ombuds to establish
by rule an annual fee to fund the office.

--- END ---