
SECOND SUBSTITUTE SENATE BILL 5466

State of Washington

69th Legislature

2026 Regular Session

By Senate Environment, Energy & Technology (originally sponsored by Senators Shewmake, Slatter, Conway, Nobles, and Saldaña)

READ FIRST TIME 02/04/26.

1 AN ACT Relating to improving reliability and capacity of the
2 electric transmission system in Washington state; reenacting and
3 amending RCW 43.84.092, 43.84.092, 43.84.092, 43.84.092, 43.84.092,
4 and 43.84.092; adding a new section to chapter 43.21F RCW; adding a
5 new section to chapter 43.31 RCW; adding new sections to chapter
6 43.21C RCW; adding a new chapter to Title 43 RCW; providing effective
7 dates; providing a contingent effective date; providing expiration
8 dates; and providing contingent expiration dates.

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

10 NEW SECTION. **Sec. 1.** (1) The legislature finds that Washington
11 has committed to decarbonizing its electricity system so that it is
12 carbon neutral by 2030 and carbon free by 2045. Achieving those goals
13 includes retiring coal and gas resources, adding new generation from
14 renewable and nonemitting resources, and leveraging energy storage
15 technologies. At the same time, demand for electricity is increasing
16 significantly due to the electrification of vehicles, home heating
17 and cooling, and manufacturing, and the expansion of the information
18 services sector in Washington. There are significant federal, state,
19 and private investments in clean energy development, including wind,
20 solar, and battery storage, that support decarbonization goals and
21 supply new electrical load. However, Washington's existing

1 transmission system lacks the capacity to accommodate the growing
2 demand for clean electricity.

3 (2) The legislature also finds that extreme weather events and
4 changes to seasonal highs and lows puts new strain on the existing
5 transmission system and threatens reliability. Extreme weather events
6 such as high-speed winds, floods, freezing, and heat domes can damage
7 grid infrastructure and cause disruptions to the power supply. Warmer
8 summers and colder winters increase the need for heating and cooling
9 and thereby intensify and extend periods of peak demand.

10 (3) The legislature further finds that to maintain reliability
11 and build resilience, Washington's transmission system needs to be
12 expanded and upgraded to access diverse portfolios of clean and
13 reliable energy across the region, including solar resources in the
14 southwest and wind resources across the mountain west. A more robust
15 and updated transmission system will support affordability and
16 reliability goals by enabling the efficient dispatch of least-cost
17 resources across the region.

18 (4) Therefore, it is the intent of the legislature to create the
19 Washington electric transmission authority to improve transmission
20 reliability, resilience, and affordability. The Washington electric
21 transmission authority will serve as a centralized body to achieve
22 these goals by: providing development transmission services;
23 coordinating siting and permitting; and engaging with utilities,
24 transmission developers, local jurisdictions, state agencies,
25 regional entities, the federal government, federally recognized
26 Indian tribes, and affected communities. The legislature intends for
27 the authority to achieve the following goals:

28 (a) Improve reliability and resilience, including during extreme
29 weather events;

30 (b) Increase access to low-cost renewable energy;

31 (c) Achieve clean electricity requirements and greenhouse gas
32 emissions limits;

33 (d) Support economic growth; and

34 (e) Maintain affordable energy rates.

35 **PART I - WASHINGTON ELECTRIC TRANSMISSION AUTHORITY**

36 NEW SECTION. **Sec. 2.** The definitions in this section apply
37 throughout this chapter unless the context clearly requires
38 otherwise.

1 (1) "Authority" means the Washington electric transmission
2 authority.

3 (2) "Board of directors" means the authority's board of
4 directors.

5 (3) "Consumer-owned utility" has the same meaning as in RCW
6 19.405.020.

7 (4) "Department" means the department of commerce.

8 (5) "Investor-owned utility" means a company owned by investors
9 that meets the definition of "corporation" in RCW 80.04.010 and is
10 engaged in distributing electricity to more than one retail electric
11 customer in the state.

12 (6) "Nonwire alternative" means any electrical grid investment
13 that is intended to defer or remove the need to construct or upgrade
14 components of a transmission system.

15 NEW SECTION. **Sec. 3.** A new section is added to chapter 43.21F
16 RCW to read as follows:

17 (1) The department must identify high priority transmission
18 corridors leveraging existing transmission plans from national and
19 regional entities and Washington utilities and existing state,
20 regional, and national siting studies, in an open, transparent
21 process by October 30, 2027.

22 (2) The department may contract with independent expert analysts
23 to identify high priority transmission corridors under subsection (1)
24 of this section.

25 (3) The department must provide all administrative and staff
26 support for and maintain oversight of the Washington electric
27 transmission authority created under section 5 of this act until the
28 board of directors hires an executive director as established under
29 section 4 of this act.

30 NEW SECTION. **Sec. 4.** (1) A board of directors must be appointed
31 by January 1, 2027, to provide oversight and advise the authority on
32 policies that are consistent with the purposes of this chapter. The
33 board of directors must hire an executive director by June 30, 2027.

34 (2) The 10 members of the board are as follows:

35 (a) The director of the department, or the director's designee;

36 (b) One member appointed by the governor with experience working
37 at a consumer-owned utility, preferably with expertise in the
38 transmission function;

1 (c) One member appointed by the governor with experience working
2 at an investor-owned utility, preferably with expertise in the
3 transmission function;

4 (d) One member appointed by the governor with expertise in land
5 use planning and law and local permitting processes;

6 (e) One member appointed by the governor with expertise in clean
7 energy development;

8 (f) One member appointed by the governor with expertise in
9 ratepayer protection;

10 (g) One member appointed by the governor representing electrical
11 workers with expertise in building electric transmission;

12 (h) One member appointed by the governor with expertise in
13 financing large infrastructure projects;

14 (i) One member appointed by the governor with expertise in
15 wildlife conservation and land use policies; and

16 (j) One member appointed by the governor from a federally
17 recognized Indian tribe, including federally recognized Indian tribes
18 whose reservation or ceded lands lie in Washington state.

19 (3) One or more members of the board appointed by the governor
20 must have expertise with the Bonneville power administration's
21 transmission service.

22 (4) No member of the board may represent a person that owns or
23 operates electric generating or transmission facilities.

24 (5) Members of the board appointed by the governor must serve
25 four-year terms. However, the governor must stagger the terms of six
26 of the initial appointees for terms of one, two, and three years. At
27 the end of the term, these members may be reappointed by the
28 governor, or the governor may choose to appoint a new member.

29 (6) Decisions of the board require a simple majority vote of all
30 the members on the board.

31 (7) Members of the board must elect a chair from among its
32 membership to serve for a two-year period.

33 (8) The board must meet at least quarterly.

34 (9) The department must provide administrative and staff support
35 to the board until the executive director is hired.

36 (10) Members of the board must serve without additional
37 compensation but must be reimbursed for travel expenses as provided
38 by RCW 43.03.050 and 43.03.060.

1 NEW SECTION. **Sec. 5.** (1) The Washington electric transmission
2 authority is hereby created as a public body. The authority is an
3 instrumentality of the state exercising essential government
4 functions related to electric transmission.

5 (2) The priority of the authority is to maintain or improve the
6 reliability of electric service to Washington customers by:

7 (a) Supporting the expeditious and efficient expansion of new
8 electric transmission capacity within the state that are prudent and
9 needed to serve Washington customers;

10 (b) Prioritizing partnerships for new electric transmission
11 projects that increase access to grid connections for renewable
12 resources and nonemitting electric generation as defined in RCW
13 19.405.020, provide access to regional wholesale markets, are located
14 in more than one electric utility service territory, or would not
15 otherwise be built by Washington electric utilities;

16 (c) Pursuing cost-effective nonwire alternatives to increase the
17 capacity of existing electrical infrastructure;

18 (d) Being a statewide resource for assisting with the development
19 and coordination of upgrades to existing transmission lines;

20 (e) Collaborating with electric utilities, independent
21 transmission developers, local jurisdictions, federally recognized
22 Indian tribes, labor unions, neighboring states, regional entities,
23 and the federal government to develop intrastate, interstate, and
24 regional transmission resources;

25 (f) Evaluating opportunities for the authority to coordinate with
26 regional wholesale markets as enabled by the respective market
27 governance framework;

28 (g) Supporting opportunities for community microgrids,
29 distributed energy resources, and energy conservation; and

30 (h) Supporting community and economic development.

31 (3) To the greatest extent practicable, when carrying out its
32 duties, the authority must seek to:

33 (a) Protect cultural and natural resources;

34 (b) Avoid impacts to overburdened communities and vulnerable
35 populations;

36 (c) Support good jobs;

37 (d) Maximize the use of existing rights-of-way for transmission
38 development, including on highways as defined in RCW 47.04.010;

39 (e) Mitigate wildfire risk;

1 (f) Consult in advance with all electric utilities that serve
2 retail customers in areas where a project of the authority may be
3 located; and

4 (g) Coordinate with utilities that operate electric transmission
5 facilities that would be affected by a project of the authority.

6 (4) The authority must employ an executive director, who must be
7 appointed by the board of directors created under section 4 of this
8 act. The board may fix the compensation of the executive director.
9 The executive director may employ staff sufficient to accomplish the
10 purposes of this chapter.

11 (5) The authority must update the transmission corridor
12 identification study under section 3 of this act no later than
13 October 30, 2032, and no less than every five years thereafter.

14 (6) The authority must submit a report of its activities to the
15 governor and to the appropriate committees of the legislature by
16 December 1, 2027, and annually every July 1st thereafter. The report
17 must include operating and financial statements covering the
18 operations of the authority for the previous fiscal year.

19 (7) The authority and any eligible facilities acquired by the
20 authority are not subject to the supervision, regulation, control, or
21 jurisdiction of the Washington utilities and transportation
22 commission, provided that nothing in this chapter shall be
23 interpreted to allow an electrical company regulated under Title 80
24 RCW to include the cost of eligible facilities in its rate base
25 without the approval of the Washington utilities and transportation
26 commission.

27 (8)(a) The authority must offer transmission service on
28 facilities owned by the authority only under a transmission tariff
29 administered by an entity jurisdictional to the federal energy
30 regulatory commission as a public utility under the federal power
31 act, 16 U.S.C. Sec. 791a et seq., as it exists on the effective date
32 of this section, and subject to the same terms and conditions applied
33 to such entity by the federal energy regulatory commission, except
34 for facilities under (b) of this subsection.

35 (b) Transmission service on facilities owned by the authority
36 that are subject to a partnership agreement with the Bonneville power
37 administration, a utility serving customers in the state of
38 Washington that is not a public utility under the federal power act,
39 or a joint operating agency formed under RCW 43.52.360 may be offered

1 under the same terms as the transmission tariff of that partner
2 entity.

3 (9) The primary mode for the authority to facilitate discrete
4 transmission projects shall be through partnerships with consumer-
5 owned utilities, investor-owned utilities, and transmission
6 developers on eligible projects in high priority transmission
7 corridors. The authority may originate projects in the absence of
8 such a partner only as a last resort and where such project does not
9 interfere with or duplicate a project actively under development by a
10 qualified transmission builder, as determined by the authority.

11 NEW SECTION. **Sec. 6.** Without creating state debt, or lending
12 the credit of the state, so long as otherwise authorized and not
13 prohibited by law, the authority may:

14 (1) Adopt rules and operating procedures as necessary to
15 implement the authority's responsibilities in this chapter, except
16 that the authority may not adopt rules to direct cost allocation of
17 transmission resources;

18 (2) Utilize the services of executive departments of the state
19 upon mutually agreeable terms and conditions;

20 (3) Exercise the power of eminent domain as outlined under the
21 provisions of chapter 8.04 RCW only for land acquisition necessary to
22 secure property or rights-of-way for new transmission corridors for
23 public use consistent with the purposes of this chapter;

24 (4) Enter into contracts and agreements;

25 (5) Solicit, receive, issue, and expend gifts, grants, and
26 donations;

27 (6) Apply for and accept federal loans and related assistance;

28 (7)(a) Enter into partnerships with public or private entities,
29 which may include a fee schedule for services provided under a
30 partnership; and

31 (b) When entering into partnerships on transmission projects:

32 (i) Serve as the state environmental policy act lead for the
33 project proponent; and

34 (ii) Serve as tribal consultation lead pursuing reasonable
35 efforts to facilitate government-to-government consultation regarding
36 the entities' partnership with federally recognized Indian tribes
37 affected by the partnership;

38 (8) Lease, purchase, accept donations of, or otherwise own, hold,
39 improve, or use any property;

1 (9) Sell, lease, exchange, or otherwise dispose of any property;

2 (10)(a) Own electric transmission equipment and systems;

3 (b) Ownership of transmission facilities by the authority may not

4 exceed the extent and duration necessary or useful to promote the

5 public interest. Before becoming an owner or partial owner of any

6 electric transmission facilities, the authority must develop and

7 publish a plan identifying:

8 (i) The public purposes of the authority's ownership;

9 (ii) The conditions that would make the authority's ownership no

10 longer necessary for accomplishing those public purposes; and

11 (iii) A plan to divest the authority of ownership of the facility

12 as soon as economically prudent once those conditions occur;

13 (11)(a) Select a qualified transmission builder or operator, as

14 defined by the authority in rule, to build, finance, plan, acquire,

15 maintain, or operate an electric transmission project;

16 (b) Proceed to construction in the absence of selecting a

17 qualified transmission builder only as a last resort and in instances

18 where the authority identifies a pressing need for a project and

19 there is not a ready and willing qualified transmission builder,

20 subject to the authority adopting criteria in rule for such a

21 scenario before developing a project;

22 (12) Sell a state-owned electric transmission project at any

23 stage of development.

24 (a) The authority may sell a project to an electric utility

25 serving customers in the state of Washington, a joint operating

26 agency formed under RCW 43.52.360, the Bonneville power

27 administration, an independent transmission developer, or an

28 independent system operator.

29 (b) Before selling a project that is not part of a partnership

30 agreement, the authority must adopt criteria in rule for developing a

31 transparent process including issuing a competitive request for

32 proposals, evaluating proposals, and selecting a project buyer;

33 (13) Adopt criteria in rule for an initial local investment

34 commitment fee and annual local investment commitment fee for high

35 voltage projects that the authority develops, owns, or sells under

36 this chapter. Rule making will provide that the fees are distributed

37 among counties, cities, towns, and federally recognized Indian

38 tribes, including federally recognized Indian tribes whose

39 reservation or ceded lands lie in Washington state, in proportion to

40 the project's impact, and that the fees are appurtenant to the

1 project such that the assessed fees are transferred with the title if
2 the project is sold; and

3 (14) Coordinate with the Washington economic development finance
4 authority established under chapter 43.163 RCW to provide conduit
5 financing for eligible partners that request transmission financing.

6 NEW SECTION. **Sec. 7.** (1) The authority must, when selecting a
7 qualified transmission builder or operator under section 6(11)(a) of
8 this act, undertaking conduit financing through the Washington
9 economic development finance authority while the authority is in
10 partnership with the transmission builder or operator, or proceeding
11 to construct a project in the absence of selecting a qualified
12 transmission builder under section 6(11)(b) of this act, ensure that
13 all work is performed by either:

14 (a) Qualified electrical employees of an electric utility; or

15 (b) A contractor that:

16 (i) Utilizes qualified electrical employees;

17 (ii) Has an agreement with an apprenticeship program registered
18 with the United States department of labor or the Washington state
19 apprenticeship council established under chapter 49.04 RCW; and

20 (iii) Graduates at least 25 percent of its apprentices from the
21 program.

22 (2) When selecting a qualified transmission builder or operator
23 under section 6(11)(a) of this act, or when proceeding to construct a
24 project in the absence of selecting a qualified transmission builder
25 under section 6(11)(b) of this act, the authority must ensure that
26 work is performed in compliance with the applicable prevailing wage
27 provisions under chapter 39.12 RCW for the respective job
28 classification.

29 NEW SECTION. **Sec. 8.** A new section is added to chapter 43.31
30 RCW to read as follows:

31 (1) A tribal clean energy partnership work group is established
32 within the department of commerce. The work group must:

33 (a) Develop and evaluate pathways for tribal participation in
34 clean energy facility and related infrastructure development that
35 will advance economic development opportunities, while safeguarding
36 tribal reserved rights and supporting voluntary collaboration with
37 utilities and project developers;

1 (b) Identify opportunities for joint ownership and coinvestment
2 between federally recognized Indian tribes, utilities, and private
3 sector developers to develop clean energy generation, transmission,
4 storage, and related infrastructure in order to create more
5 equitable, efficient, and ecologically sustainable energy projects;

6 (c) Conduct research on barriers and opportunities related to
7 tribal access to financing, federal programs, tax incentives, and
8 other capital instruments that support tribal investment, ownership,
9 and economic participation, for the purpose of developing clean
10 energy facilities and infrastructure;

11 (d) Recommend approaches to expand the clean energy workforce and
12 related contracting and supply chain opportunities to include members
13 of federally recognized Indian tribes;

14 (e) Develop model tribal consultation processes, contracts,
15 defined mitigation options, incentives, and community investment
16 agreements related to clean energy development and the siting and
17 permitting of energy facilities with the voluntary support of tribal
18 partners.

19 (2) The department of commerce must appoint at least 12 and no
20 more than 20 members to the work group selected for their subject
21 matter experience as follows:

22 (a) Between four and eight representatives of federally
23 recognized Indian tribes, based on the voluntary interest of tribal
24 governments;

25 (b) Between four and six representatives of electric utilities,
26 including investor-owned utilities and consumer-owned utilities, and
27 industrial manufacturers or project developers;

28 (c) Two individuals with expertise in economic development
29 related to clean energy facilities and infrastructure;

30 (d) Two individuals with expertise in tribal cultural resources
31 or tribal governance; and

32 (e) No more than two ad hoc members selected by the department of
33 commerce.

34 (3) The department of commerce may reimburse work group members
35 for travel expenses as provided in RCW 43.03.050 and 43.03.060.

36 (4) The work group must hold at least one public meeting before
37 June 1, 2028.

38 (5) The department of commerce may convene a clean energy
39 advisory committee to provide feedback on strategies and
40 recommendations developed by the work group.

1 (6) The department of commerce may appoint members to the
2 advisory committee from among the following:

3 (a) Clean energy facility and transmission developers;

4 (b) Labor union representatives;

5 (c) Individuals with expertise in clean energy facility and
6 infrastructure financing or capital markets; and

7 (d) Environmental advocacy organizations.

8 (7) By April 1, 2027, the work group must submit an interim
9 report to the appropriate legislative committees that documents its
10 findings to date.

11 (8) By December 1, 2027, the work group must submit a report to
12 the appropriate committees of the legislature that:

13 (a) Identifies barriers to tribal participation in clean energy
14 facility and infrastructure development;

15 (b) Makes recommendations for statutory or regulatory changes
16 that would facilitate tribal participation in the development and
17 ownership of clean energy facilities and infrastructure;

18 (c) Provides partnership, ownership, and investment frameworks
19 for tribal clean energy development;

20 (d) Identifies opportunities for clean energy pilot or
21 demonstration projects that support voluntary, mutually beneficial
22 energy partnerships between federally recognized Indian tribes and
23 energy sector participants operating in Washington state; and

24 (e) Identifies specific work group recommendations that would
25 benefit from future state funding.

26 (9) By December 1, 2027, the work group must submit a report to
27 the office of equity pursuant to RCW 43.18A.030.

28 (10) This section expires June 1, 2028.

29 NEW SECTION. **Sec. 9.** The electric transmission operating
30 account is created in the state treasury. All receipts from
31 appropriations made by the legislature, federal funds, or gifts or
32 grants from the private sector or foundations and other sources must
33 be deposited in the account. Moneys in the account may be spent only
34 after appropriation. Expenditures from the account may be used only
35 for operating cost purposes consistent with this chapter.

36 NEW SECTION. **Sec. 10.** The electric transmission capital account
37 is created in the state treasury. All moneys received for the
38 acquisition, sale, management, and administration of the authority's

1 duties under this chapter for electric transmission projects
2 including, but not limited to, proceeds from the sale of land and/or
3 improvements, fees collected for services provided to transmission
4 developers, local investment commitment fees, interest earned on
5 investments in the account, and all other revenue related to electric
6 transmission projects created or acquired pursuant to this chapter
7 must be deposited into the account. The account is authorized to
8 receive fund transfers and appropriations from the general fund, as
9 well as gifts, grants, and endowments from public or private sources
10 as may be made from time to time. Moneys in the account may be spent
11 only after appropriation. Expenditures from the account may be used
12 by the executive director of the authority, or the executive
13 director's designee, to reimburse management costs incurred by the
14 authority on electric transmission projects, for the acquisition of
15 interests in land or other real property to be managed as electric
16 transmission projects, and for all other nonoperating cost purposes
17 consistent with this chapter.

18 NEW SECTION. **Sec. 11.** (1) Information obtained by the authority
19 that is critical energy infrastructure information or proprietary
20 technical or business information shall be confidential and not
21 subject to inspection or disclosure pursuant to chapter 42.56 RCW.

22 (2) For the purposes of this section, the following definitions
23 apply:

24 (a) "Critical energy infrastructure" means existing and proposed
25 systems and assets, whether physical or virtual, the incapacity or
26 destruction of which would negatively affect security, economic
27 security, public health or safety, or any combination of these
28 matters.

29 (b) "Critical energy infrastructure information" means specific
30 engineering, vulnerability, or detailed design information about
31 proposed or existing critical energy infrastructure that:

32 (i) Relates details about the production, generation,
33 transportation, transmission, or distribution of energy;

34 (ii) Could be useful to a person in planning an attack on
35 critical energy infrastructure; and

36 (iii) Does not simply give the general location of or relay
37 publicly available information about the critical energy
38 infrastructure.

1 increases in voltage, reconductoring, installation of grid-enhancing
2 or optimizing technologies, or the relocation or addition of utility
3 poles) to any existing electric transmission powerlines and any
4 associated infrastructure.

5 NEW SECTION. **Sec. 13.** A new section is added to chapter 43.21C
6 RCW to read as follows:

7 (1) For a project that is categorically exempt under section 12
8 of this act, the following steps must be taken as a condition of
9 receiving a permit to ensure that the proposed activity avoids,
10 minimizes, or mitigates harm to protected tribal and reserved rights,
11 or archaeological, historic, sacred, or cultural resources:

12 (a) The permitting jurisdiction must notify the department of
13 archaeology and historic preservation created in chapter 43.334 RCW
14 that the project is categorically exempt under section 12 of this
15 act.

16 (b) Within seven business days of being notified that the project
17 is categorically exempt under section 12 of this act, the department
18 of archaeology and historic preservation must notify each federally
19 recognized Indian tribe with:

20 (i) Tribal lands and/or lands with rights reserved or protected
21 by federal treaty, statute, or executive order in the area where the
22 right-of-way exists; or

23 (ii) Tribal traditional cultural places, sacred sites, or
24 cemeteries and human remains located within the vertical and
25 horizontal limits of the project area which includes the right-of-
26 way, staging areas, or any other ground disturbed areas related to
27 activities for existing electric transmission lines provided under
28 section 12(1) of this act.

29 (c) Each federally recognized Indian tribe notified under (b) of
30 this subsection that wishes to request a survey to identify potential
31 protected tribal and reserved rights, or archaeological, historic,
32 sacred, or cultural resources within the impacted right-of-way where
33 there are ground disturbing activities within the vertical and
34 horizontal limits of the project area must indicate that to the
35 department of archaeology and historic preservation within 45
36 business days, excluding holidays, of the notification provided in
37 (b) of this subsection. The department of archeology and historic
38 preservation may also request such a survey and must make the request
39 to the project applicant within 45 days of the notification provided

1 in (b) of this subsection. If no response from a potentially impacted
2 federally recognized Indian tribe is received within 45 business
3 days, excluding holidays, of the notification, the department of
4 archeology and historic preservation must send a letter
5 electronically to each tribe notified under (b) of this subsection
6 confirming that no survey was requested. Each federally recognized
7 tribe has 14 business days, excluding holidays, from the date the
8 letter was sent to respond. If there is no response, the proposal
9 shall be determined to be categorically exempt and no additional
10 process under this section is required.

11 (d) If a resources survey is requested under (c) of this
12 subsection, the department of archaeology and historic preservation
13 must consult with the impacted tribes that requested the resources
14 survey pursuant to (c) of this subsection and the project applicant
15 to conduct the resources survey consistent with the goals in RCW
16 43.158.150(1)(a).

17 (e) If any such rights or resources are identified, the
18 permitting jurisdiction and the department of archaeology and
19 historic preservation must work with the project applicant and the
20 impacted tribes to develop a plan to avoid, mitigate, or minimize
21 harm to the affected rights and resources that the tribe consents to
22 voluntarily. The mutually agreed-upon plan will be considered a
23 condition of the permit.

24 (2) Information provided by federally recognized Indian tribes
25 must be kept confidential and exempt from public disclosure under
26 chapter 42.56 RCW.

27 (3) Each project applicant must pay actual costs incurred by the
28 permitting jurisdiction in conducting a resources survey, developing
29 a plan, or both, as required under this section.

30 (4) For the purposes of this section, "tribal lands" means: (a)
31 All land within the limits of any Indian reservation under the
32 jurisdiction of the United States government, notwithstanding the
33 issuance of any patent, including rights-of-way running through the
34 reservation; (b) all dependent Indian communities within the borders
35 of the United States whether within the original or subsequently
36 acquired territory thereof, and whether within or without the limits
37 of a state; and (c) all Indian allotments, the Indian titles to which
38 have not been extinguished, including rights-of-way running through
39 the same.

PART III - MISCELLANEOUS

Sec. 14. RCW 43.84.092 and 2025 c 417 s 802, 2025 c 399 s 15, 2025 c 359 s 12, and 2025 c 299 s 21 are each reenacted and amended to read as follows:

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

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

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

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

(a) The following accounts and funds shall receive their proportionate share of earnings based upon each account's and fund's average daily balance for the period: The abandoned recreational

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

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

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

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

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

1 **Sec. 15.** RCW 43.84.092 and 2025 c 417 s 802, 2025 c 399 s 15,
2 and 2025 c 299 s 21 are each reenacted and amended to read as
3 follows:

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

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

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

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

36 (a) The following accounts and funds shall receive their
37 proportionate share of earnings based upon each account's and fund's
38 average daily balance for the period: The abandoned recreational
39 vehicle disposal account, the aeronautics account, the Alaskan Way
40 viaduct replacement project account, the ambulance transport fund,

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

1 tax account, the local sales and use tax account, the marine
2 resources stewardship trust account, the medical aid account, the
3 money-purchase retirement savings administrative account, the money-
4 purchase retirement savings principal account, the motor vehicle
5 fund, the motorcycle safety education account, the move ahead WA
6 account, the move ahead WA flexible account, the multimodal
7 transportation account, the multiuse roadway safety account, the
8 municipal criminal justice assistance account, the oyster reserve
9 land account, the pension funding stabilization account, the
10 perpetual surveillance and maintenance account, the pilotage account,
11 the pollution liability insurance agency underground storage tank
12 revolving account, the public employees' retirement system plan 1
13 account, the public employees' retirement system combined plan 2 and
14 plan 3 account, the public facilities construction loan revolving
15 account, the public health supplemental account, the public works
16 assistance account, the Puget Sound capital construction account, the
17 Puget Sound ferry operations account, the Puget Sound Gateway
18 facility account, the Puget Sound taxpayer accountability account,
19 the real estate appraiser commission account, the recreational
20 vehicle account, the regional mobility grant program account, the
21 reserve officers' relief and pension principal fund, the resource
22 management cost account, the rural arterial trust account, the rural
23 mobility grant program account, the rural Washington loan fund, the
24 second injury fund, the sexual assault prevention and response
25 account, the site closure account, the skilled nursing facility
26 safety net trust fund, the small city pavement and sidewalk account,
27 the special category C account, the special wildlife account, the
28 state hazard mitigation revolving loan account, the state investment
29 board expense account, the state investment board commingled trust
30 fund accounts, the state patrol highway account, the state
31 reclamation revolving account, the state route number 520 civil
32 penalties account, the state route number 520 corridor account, the
33 statewide broadband account, the statewide tourism marketing account,
34 the supplemental pension account, the Tacoma Narrows toll bridge
35 account, the teachers' retirement system plan 1 account, the
36 teachers' retirement system combined plan 2 and plan 3 account, the
37 tobacco prevention and control account, the tobacco settlement
38 account, the toll facility bond retirement account, the
39 transportation 2003 account (nickel account), the transportation
40 equipment fund, the JUDY transportation future funding program

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

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

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

37 **Sec. 16.** RCW 43.84.092 and 2025 c 417 s 803, 2025 c 399 s 16,
38 2025 c 359 s 13, and 2025 c 299 s 22 are each reenacted and amended
39 to read as follows:

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

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

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

29 (4) Monthly, the state treasurer shall distribute the earnings
30 credited to the treasury income account. The state treasurer shall
31 credit the general fund with all the earnings credited to the
32 treasury income account except:

33 (a) The following accounts and funds shall receive their
34 proportionate share of earnings based upon each account's and fund's
35 average daily balance for the period: The abandoned recreational
36 vehicle disposal account, the aeronautics account, the Alaskan Way
37 viaduct replacement project account, the budget stabilization
38 account, the capital vessel replacement account, the capitol building
39 construction account, the Central Washington University capital
40 projects account, the charitable, educational, penal and reformatory

1 institutions account, the Chehalis basin account, the Chehalis basin
2 taxable account, the clean fuels credit account, the clean fuels
3 transportation investment account, the cleanup settlement account,
4 the Columbia river basin water supply development account, the
5 Columbia river basin taxable bond water supply development account,
6 the Columbia river basin water supply revenue recovery account, the
7 common school construction fund, the community forest trust account,
8 the connecting Washington account, the county arterial preservation
9 account, the county criminal justice assistance account, the covenant
10 homeownership account, the deferred compensation administrative
11 account, the deferred compensation principal account, the department
12 of licensing services account, the department of retirement systems
13 expense account, the developmental disabilities community services
14 account, the diesel idle reduction account, the opioid abatement
15 settlement account, the drinking water assistance account, the
16 administrative subaccount of the drinking water assistance account,
17 the driver education safety improvement account, the early learning
18 facilities development account, the early learning facilities
19 revolving account, the Eastern Washington University capital projects
20 account, the education legacy trust account, the election account,
21 the electric transmission capital account, the electric vehicle
22 account, the energy freedom account, the energy recovery act account,
23 the essential rail assistance account, The Evergreen State College
24 capital projects account, the fair start for kids account, the family
25 medicine workforce development account, the ferry bond retirement
26 fund, the fish, wildlife, and conservation account, the freight
27 mobility investment account, the freight mobility multimodal account,
28 the grade crossing protective fund, the higher education retirement
29 plan supplemental benefit fund, the Washington student loan account,
30 the highway bond retirement fund, the highway infrastructure account,
31 the highway safety fund, the hospital safety net assessment fund, the
32 Interstate 5 bridge replacement project account, the Interstate 405
33 and state route number 167 express toll lanes account, the judges'
34 retirement account, the judicial retirement administrative account,
35 the judicial retirement principal account, the limited fish and
36 wildlife account, the local leasehold excise tax account, the local
37 real estate excise tax account, the local sales and use tax account,
38 the marine resources stewardship trust account, the medical aid
39 account, the money-purchase retirement savings administrative
40 account, the money-purchase retirement savings principal account, the

1 motor vehicle fund, the motorcycle safety education account, the move
2 ahead WA account, the move ahead WA flexible account, the multimodal
3 transportation account, the multiuse roadway safety account, the
4 municipal criminal justice assistance account, the oyster reserve
5 land account, the pension funding stabilization account, the
6 perpetual surveillance and maintenance account, the pilotage account,
7 the pollution liability insurance agency underground storage tank
8 revolving account, the medicaid access program account, the public
9 employees' retirement system plan 1 account, the public employees'
10 retirement system combined plan 2 and plan 3 account, the public
11 facilities construction loan revolving account, the public health
12 supplemental account, the public works assistance account, the Puget
13 Sound capital construction account, the Puget Sound ferry operations
14 account, the Puget Sound Gateway facility account, the Puget Sound
15 taxpayer accountability account, the real estate appraiser commission
16 account, the recreational vehicle account, the regional mobility
17 grant program account, the reserve officers' relief and pension
18 principal fund, the resource management cost account, the rural
19 arterial trust account, the rural mobility grant program account, the
20 rural Washington loan fund, the second injury fund, the sexual
21 assault prevention and response account, the site closure account,
22 the skilled nursing facility safety net trust fund, the small city
23 pavement and sidewalk account, the special category C account, the
24 special wildlife account, the state hazard mitigation revolving loan
25 account, the state investment board expense account, the state
26 investment board commingled trust fund accounts, the state patrol
27 highway account, the state reclamation revolving account, the state
28 route number 520 civil penalties account, the state route number 520
29 corridor account, the statewide broadband account, the statewide
30 tourism marketing account, the supplemental pension account, the
31 Tacoma Narrows toll bridge account, the teachers' retirement system
32 plan 1 account, the teachers' retirement system combined plan 2 and
33 plan 3 account, the tobacco prevention and control account, the
34 tobacco settlement account, the toll facility bond retirement
35 account, the transportation 2003 account (nickel account), the
36 transportation equipment fund, the JUDY transportation future funding
37 program account, the transportation improvement account, the
38 transportation improvement board bond retirement account, the
39 transportation infrastructure account, the transportation partnership
40 account, the traumatic brain injury account, the tribal opioid

1 prevention and treatment account, the University of Washington bond
2 retirement fund, the University of Washington building account, the
3 voluntary cleanup account, the volunteer firefighters' relief and
4 pension principal fund, the volunteer firefighters' and reserve
5 officers' administrative fund, the vulnerable roadway user education
6 account, the Washington judicial retirement system account, the
7 Washington law enforcement officers' and firefighters' system plan 1
8 retirement account, the Washington law enforcement officers' and
9 firefighters' system plan 2 retirement account, the Washington public
10 safety employees' plan 2 retirement account, the Washington school
11 employees' retirement system combined plan 2 and 3 account, the
12 Washington state patrol retirement account, the Washington State
13 University building account, the Washington State University bond
14 retirement fund, the water pollution control revolving administration
15 account, the water pollution control revolving fund, the Western
16 Washington University capital projects account, the Yakima integrated
17 plan implementation account, the Yakima integrated plan
18 implementation revenue recovery account, and the Yakima integrated
19 plan implementation taxable bond account. Earnings derived from
20 investing balances of the agricultural permanent fund, the normal
21 school permanent fund, the permanent common school fund, the
22 scientific permanent fund, and the state university permanent fund
23 shall be allocated to their respective beneficiary accounts.

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

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

33 **Sec. 17.** RCW 43.84.092 and 2025 c 417 s 803, 2025 c 399 s 16,
34 and 2025 c 299 s 22 are each reenacted and amended to read as
35 follows:

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

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

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

26 (4) Monthly, the state treasurer shall distribute the earnings
27 credited to the treasury income account. The state treasurer shall
28 credit the general fund with all the earnings credited to the
29 treasury income account except:

30 (a) The following accounts and funds shall receive their
31 proportionate share of earnings based upon each account's and fund's
32 average daily balance for the period: The abandoned recreational
33 vehicle disposal account, the aeronautics account, the Alaskan Way
34 viaduct replacement project account, the budget stabilization
35 account, the capital vessel replacement account, the capitol building
36 construction account, the Central Washington University capital
37 projects account, the charitable, educational, penal and reformatory
38 institutions account, the Chehalis basin account, the Chehalis basin
39 taxable account, the clean fuels credit account, the clean fuels
40 transportation investment account, the cleanup settlement account,

1 the Columbia river basin water supply development account, the
2 Columbia river basin taxable bond water supply development account,
3 the Columbia river basin water supply revenue recovery account, the
4 common school construction fund, the community forest trust account,
5 the connecting Washington account, the county arterial preservation
6 account, the county criminal justice assistance account, the covenant
7 homeownership account, the deferred compensation administrative
8 account, the deferred compensation principal account, the department
9 of licensing services account, the department of retirement systems
10 expense account, the developmental disabilities community services
11 account, the diesel idle reduction account, the opioid abatement
12 settlement account, the drinking water assistance account, the
13 administrative subaccount of the drinking water assistance account,
14 the driver education safety improvement account, the early learning
15 facilities development account, the early learning facilities
16 revolving account, the Eastern Washington University capital projects
17 account, the education legacy trust account, the election account,
18 the electric transmission capital account, the electric vehicle
19 account, the energy freedom account, the energy recovery act account,
20 the essential rail assistance account, The Evergreen State College
21 capital projects account, the fair start for kids account, the family
22 medicine workforce development account, the ferry bond retirement
23 fund, the fish, wildlife, and conservation account, the freight
24 mobility investment account, the freight mobility multimodal account,
25 the grade crossing protective fund, the higher education retirement
26 plan supplemental benefit fund, the Washington student loan account,
27 the highway bond retirement fund, the highway infrastructure account,
28 the highway safety fund, the hospital safety net assessment fund, the
29 Interstate 5 bridge replacement project account, the Interstate 405
30 and state route number 167 express toll lanes account, the judges'
31 retirement account, the judicial retirement administrative account,
32 the judicial retirement principal account, the limited fish and
33 wildlife account, the local leasehold excise tax account, the local
34 real estate excise tax account, the local sales and use tax account,
35 the marine resources stewardship trust account, the medical aid
36 account, the money-purchase retirement savings administrative
37 account, the money-purchase retirement savings principal account, the
38 motor vehicle fund, the motorcycle safety education account, the move
39 ahead WA account, the move ahead WA flexible account, the multimodal
40 transportation account, the multiuse roadway safety account, the

1 municipal criminal justice assistance account, the oyster reserve
2 land account, the pension funding stabilization account, the
3 perpetual surveillance and maintenance account, the pilotage account,
4 the pollution liability insurance agency underground storage tank
5 revolving account, the public employees' retirement system plan 1
6 account, the public employees' retirement system combined plan 2 and
7 plan 3 account, the public facilities construction loan revolving
8 account, the public health supplemental account, the public works
9 assistance account, the Puget Sound capital construction account, the
10 Puget Sound ferry operations account, the Puget Sound Gateway
11 facility account, the Puget Sound taxpayer accountability account,
12 the real estate appraiser commission account, the recreational
13 vehicle account, the regional mobility grant program account, the
14 reserve officers' relief and pension principal fund, the resource
15 management cost account, the rural arterial trust account, the rural
16 mobility grant program account, the rural Washington loan fund, the
17 second injury fund, the sexual assault prevention and response
18 account, the site closure account, the skilled nursing facility
19 safety net trust fund, the small city pavement and sidewalk account,
20 the special category C account, the special wildlife account, the
21 state hazard mitigation revolving loan account, the state investment
22 board expense account, the state investment board commingled trust
23 fund accounts, the state patrol highway account, the state
24 reclamation revolving account, the state route number 520 civil
25 penalties account, the state route number 520 corridor account, the
26 statewide broadband account, the statewide tourism marketing account,
27 the supplemental pension account, the Tacoma Narrows toll bridge
28 account, the teachers' retirement system plan 1 account, the
29 teachers' retirement system combined plan 2 and plan 3 account, the
30 tobacco prevention and control account, the tobacco settlement
31 account, the toll facility bond retirement account, the
32 transportation 2003 account (nickel account), the transportation
33 equipment fund, the JUDY transportation future funding program
34 account, the transportation improvement account, the transportation
35 improvement board bond retirement account, the transportation
36 infrastructure account, the transportation partnership account, the
37 traumatic brain injury account, the tribal opioid prevention and
38 treatment account, the University of Washington bond retirement fund,
39 the University of Washington building account, the voluntary cleanup
40 account, the volunteer firefighters' relief and pension principal

1 fund, the volunteer firefighters' and reserve officers'
2 administrative fund, the vulnerable roadway user education account,
3 the Washington judicial retirement system account, the Washington law
4 enforcement officers' and firefighters' system plan 1 retirement
5 account, the Washington law enforcement officers' and firefighters'
6 system plan 2 retirement account, the Washington public safety
7 employees' plan 2 retirement account, the Washington school
8 employees' retirement system combined plan 2 and 3 account, the
9 Washington state patrol retirement account, the Washington State
10 University building account, the Washington State University bond
11 retirement fund, the water pollution control revolving administration
12 account, the water pollution control revolving fund, the Western
13 Washington University capital projects account, the Yakima integrated
14 plan implementation account, the Yakima integrated plan
15 implementation revenue recovery account, and the Yakima integrated
16 plan implementation taxable bond account. Earnings derived from
17 investing balances of the agricultural permanent fund, the normal
18 school permanent fund, the permanent common school fund, the
19 scientific permanent fund, and the state university permanent fund
20 shall be allocated to their respective beneficiary accounts.

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

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

30 **Sec. 18.** RCW 43.84.092 and 2025 c 417 s 803, 2025 c 399 s 16,
31 2025 c 359 s 13, 2025 c 299 s 22, and 2025 c 228 s 15 are each
32 reenacted and amended to read as follows:

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

36 (2) The treasury income account shall be utilized to pay or
37 receive funds associated with federal programs as required by the
38 federal cash management improvement act of 1990. The treasury income
39 account is subject in all respects to chapter 43.88 RCW, but no

1 appropriation is required for refunds or allocations of interest
2 earnings required by the cash management improvement act. Refunds of
3 interest to the federal treasury required under the cash management
4 improvement act fall under RCW 43.88.180 and shall not require
5 appropriation. The office of financial management shall determine the
6 amounts due to or from the federal government pursuant to the cash
7 management improvement act. The office of financial management may
8 direct transfers of funds between accounts as deemed necessary to
9 implement the provisions of the cash management improvement act, and
10 this subsection. Refunds or allocations shall occur prior to the
11 distributions of earnings set forth in subsection (4) of this
12 section.

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

22 (4) Monthly, the state treasurer shall distribute the earnings
23 credited to the treasury income account. The state treasurer shall
24 credit the general fund with all the earnings credited to the
25 treasury income account except:

26 (a) The following accounts and funds shall receive their
27 proportionate share of earnings based upon each account's and fund's
28 average daily balance for the period: The abandoned recreational
29 vehicle disposal account, the aeronautics account, the Alaskan Way
30 viaduct replacement project account, the budget stabilization
31 account, the capital vessel replacement account, the capitol building
32 construction account, the Central Washington University capital
33 projects account, the charitable, educational, penal and reformatory
34 institutions account, the Chehalis basin account, the Chehalis basin
35 taxable account, the clean fuels credit account, the clean fuels
36 transportation investment account, the cleanup settlement account,
37 the Columbia river basin water supply development account, the
38 Columbia river basin taxable bond water supply development account,
39 the Columbia river basin water supply revenue recovery account, the
40 common school construction fund, the community forest trust account,

1 the connecting Washington account, the county arterial preservation
2 account, the county criminal justice assistance account, the covenant
3 homeownership account, the deferred compensation administrative
4 account, the deferred compensation principal account, the department
5 of licensing services account, the department of retirement systems
6 expense account, the developmental disabilities community services
7 account, the diesel idle reduction account, the opioid abatement
8 settlement account, the drinking water assistance account, the
9 administrative subaccount of the drinking water assistance account,
10 the driver education safety improvement account, the early learning
11 facilities development account, the early learning facilities
12 revolving account, the Eastern Washington University capital projects
13 account, the education legacy trust account, the election account,
14 the electric transmission capital account, the electric vehicle
15 account, the energy freedom account, the energy recovery act account,
16 the essential rail assistance account, The Evergreen State College
17 capital projects account, the fair start for kids account, the family
18 medicine workforce development account, the ferry bond retirement
19 fund, the fish, wildlife, and conservation account, the freight
20 mobility investment account, the freight mobility multimodal account,
21 the grade crossing protective fund, the higher education retirement
22 plan supplemental benefit fund, the Washington student loan account,
23 the highway bond retirement fund, the highway infrastructure account,
24 the highway safety fund, the hospital safety net assessment fund, the
25 intelligent speed assistance device revolving account, the Interstate
26 5 bridge replacement project account, the Interstate 405 and state
27 route number 167 express toll lanes account, the judges' retirement
28 account, the judicial retirement administrative account, the judicial
29 retirement principal account, the limited fish and wildlife account,
30 the local leasehold excise tax account, the local real estate excise
31 tax account, the local sales and use tax account, the marine
32 resources stewardship trust account, the medical aid account, the
33 money-purchase retirement savings administrative account, the money-
34 purchase retirement savings principal account, the motor vehicle
35 fund, the motorcycle safety education account, the move ahead WA
36 account, the move ahead WA flexible account, the multimodal
37 transportation account, the multiuse roadway safety account, the
38 municipal criminal justice assistance account, the oyster reserve
39 land account, the pension funding stabilization account, the
40 perpetual surveillance and maintenance account, the pilotage account,

1 the pollution liability insurance agency underground storage tank
2 revolving account, the medicaid access program account, the public
3 employees' retirement system plan 1 account, the public employees'
4 retirement system combined plan 2 and plan 3 account, the public
5 facilities construction loan revolving account, the public health
6 supplemental account, the public works assistance account, the Puget
7 Sound capital construction account, the Puget Sound ferry operations
8 account, the Puget Sound Gateway facility account, the Puget Sound
9 taxpayer accountability account, the real estate appraiser commission
10 account, the recreational vehicle account, the regional mobility
11 grant program account, the reserve officers' relief and pension
12 principal fund, the resource management cost account, the rural
13 arterial trust account, the rural mobility grant program account, the
14 rural Washington loan fund, the second injury fund, the sexual
15 assault prevention and response account, the site closure account,
16 the skilled nursing facility safety net trust fund, the small city
17 pavement and sidewalk account, the special category C account, the
18 special wildlife account, the state hazard mitigation revolving loan
19 account, the state investment board expense account, the state
20 investment board commingled trust fund accounts, the state patrol
21 highway account, the state reclamation revolving account, the state
22 route number 520 civil penalties account, the state route number 520
23 corridor account, the statewide broadband account, the statewide
24 tourism marketing account, the supplemental pension account, the
25 Tacoma Narrows toll bridge account, the teachers' retirement system
26 plan 1 account, the teachers' retirement system combined plan 2 and
27 plan 3 account, the tobacco prevention and control account, the
28 tobacco settlement account, the toll facility bond retirement
29 account, the transportation 2003 account (nickel account), the
30 transportation equipment fund, the JUDY transportation future funding
31 program account, the transportation improvement account, the
32 transportation improvement board bond retirement account, the
33 transportation infrastructure account, the transportation partnership
34 account, the traumatic brain injury account, the tribal opioid
35 prevention and treatment account, the University of Washington bond
36 retirement fund, the University of Washington building account, the
37 voluntary cleanup account, the volunteer firefighters' relief and
38 pension principal fund, the volunteer firefighters' and reserve
39 officers' administrative fund, the vulnerable roadway user education
40 account, the Washington judicial retirement system account, the

1 Washington law enforcement officers' and firefighters' system plan 1
2 retirement account, the Washington law enforcement officers' and
3 firefighters' system plan 2 retirement account, the Washington public
4 safety employees' plan 2 retirement account, the Washington school
5 employees' retirement system combined plan 2 and 3 account, the
6 Washington state patrol retirement account, the Washington State
7 University building account, the Washington State University bond
8 retirement fund, the water pollution control revolving administration
9 account, the water pollution control revolving fund, the Western
10 Washington University capital projects account, the Yakima integrated
11 plan implementation account, the Yakima integrated plan
12 implementation revenue recovery account, and the Yakima integrated
13 plan implementation taxable bond account. Earnings derived from
14 investing balances of the agricultural permanent fund, the normal
15 school permanent fund, the permanent common school fund, the
16 scientific permanent fund, and the state university permanent fund
17 shall be allocated to their respective beneficiary accounts.

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

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

27 **Sec. 19.** RCW 43.84.092 and 2025 c 417 s 803, 2025 c 399 s 16,
28 2025 c 299 s 22, and 2025 c 228 s 15 are each reenacted and amended
29 to read as follows:

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

33 (2) The treasury income account shall be utilized to pay or
34 receive funds associated with federal programs as required by the
35 federal cash management improvement act of 1990. The treasury income
36 account is subject in all respects to chapter 43.88 RCW, but no
37 appropriation is required for refunds or allocations of interest
38 earnings required by the cash management improvement act. Refunds of
39 interest to the federal treasury required under the cash management

1 improvement act fall under RCW 43.88.180 and shall not require
2 appropriation. The office of financial management shall determine the
3 amounts due to or from the federal government pursuant to the cash
4 management improvement act. The office of financial management may
5 direct transfers of funds between accounts as deemed necessary to
6 implement the provisions of the cash management improvement act, and
7 this subsection. Refunds or allocations shall occur prior to the
8 distributions of earnings set forth in subsection (4) of this
9 section.

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

19 (4) Monthly, the state treasurer shall distribute the earnings
20 credited to the treasury income account. The state treasurer shall
21 credit the general fund with all the earnings credited to the
22 treasury income account except:

23 (a) The following accounts and funds shall receive their
24 proportionate share of earnings based upon each account's and fund's
25 average daily balance for the period: The abandoned recreational
26 vehicle disposal account, the aeronautics account, the Alaskan Way
27 viaduct replacement project account, the budget stabilization
28 account, the capital vessel replacement account, the capitol building
29 construction account, the Central Washington University capital
30 projects account, the charitable, educational, penal and reformatory
31 institutions account, the Chehalis basin account, the Chehalis basin
32 taxable account, the clean fuels credit account, the clean fuels
33 transportation investment account, the cleanup settlement account,
34 the Columbia river basin water supply development account, the
35 Columbia river basin taxable bond water supply development account,
36 the Columbia river basin water supply revenue recovery account, the
37 common school construction fund, the community forest trust account,
38 the connecting Washington account, the county arterial preservation
39 account, the county criminal justice assistance account, the covenant
40 homeownership account, the deferred compensation administrative

1 account, the deferred compensation principal account, the department
2 of licensing services account, the department of retirement systems
3 expense account, the developmental disabilities community services
4 account, the diesel idle reduction account, the opioid abatement
5 settlement account, the drinking water assistance account, the
6 administrative subaccount of the drinking water assistance account,
7 the driver education safety improvement account, the early learning
8 facilities development account, the early learning facilities
9 revolving account, the Eastern Washington University capital projects
10 account, the education legacy trust account, the election account,
11 the electric transmission capital account, the electric vehicle
12 account, the energy freedom account, the energy recovery act account,
13 the essential rail assistance account, The Evergreen State College
14 capital projects account, the fair start for kids account, the family
15 medicine workforce development account, the ferry bond retirement
16 fund, the fish, wildlife, and conservation account, the freight
17 mobility investment account, the freight mobility multimodal account,
18 the grade crossing protective fund, the higher education retirement
19 plan supplemental benefit fund, the Washington student loan account,
20 the highway bond retirement fund, the highway infrastructure account,
21 the highway safety fund, the hospital safety net assessment fund, the
22 intelligent speed assistance device revolving account, the Interstate
23 5 bridge replacement project account, the Interstate 405 and state
24 route number 167 express toll lanes account, the judges' retirement
25 account, the judicial retirement administrative account, the judicial
26 retirement principal account, the limited fish and wildlife account,
27 the local leasehold excise tax account, the local real estate excise
28 tax account, the local sales and use tax account, the marine
29 resources stewardship trust account, the medical aid account, the
30 money-purchase retirement savings administrative account, the money-
31 purchase retirement savings principal account, the motor vehicle
32 fund, the motorcycle safety education account, the move ahead WA
33 account, the move ahead WA flexible account, the multimodal
34 transportation account, the multiuse roadway safety account, the
35 municipal criminal justice assistance account, the oyster reserve
36 land account, the pension funding stabilization account, the
37 perpetual surveillance and maintenance account, the pilotage account,
38 the pollution liability insurance agency underground storage tank
39 revolving account, the public employees' retirement system plan 1
40 account, the public employees' retirement system combined plan 2 and

1 plan 3 account, the public facilities construction loan revolving
2 account, the public health supplemental account, the public works
3 assistance account, the Puget Sound capital construction account, the
4 Puget Sound ferry operations account, the Puget Sound Gateway
5 facility account, the Puget Sound taxpayer accountability account,
6 the real estate appraiser commission account, the recreational
7 vehicle account, the regional mobility grant program account, the
8 reserve officers' relief and pension principal fund, the resource
9 management cost account, the rural arterial trust account, the rural
10 mobility grant program account, the rural Washington loan fund, the
11 second injury fund, the sexual assault prevention and response
12 account, the site closure account, the skilled nursing facility
13 safety net trust fund, the small city pavement and sidewalk account,
14 the special category C account, the special wildlife account, the
15 state hazard mitigation revolving loan account, the state investment
16 board expense account, the state investment board commingled trust
17 fund accounts, the state patrol highway account, the state
18 reclamation revolving account, the state route number 520 civil
19 penalties account, the state route number 520 corridor account, the
20 statewide broadband account, the statewide tourism marketing account,
21 the supplemental pension account, the Tacoma Narrows toll bridge
22 account, the teachers' retirement system plan 1 account, the
23 teachers' retirement system combined plan 2 and plan 3 account, the
24 tobacco prevention and control account, the tobacco settlement
25 account, the toll facility bond retirement account, the
26 transportation 2003 account (nickel account), the transportation
27 equipment fund, the JUDY transportation future funding program
28 account, the transportation improvement account, the transportation
29 improvement board bond retirement account, the transportation
30 infrastructure account, the transportation partnership account, the
31 traumatic brain injury account, the tribal opioid prevention and
32 treatment account, the University of Washington bond retirement fund,
33 the University of Washington building account, the voluntary cleanup
34 account, the volunteer firefighters' relief and pension principal
35 fund, the volunteer firefighters' and reserve officers'
36 administrative fund, the vulnerable roadway user education account,
37 the Washington judicial retirement system account, the Washington law
38 enforcement officers' and firefighters' system plan 1 retirement
39 account, the Washington law enforcement officers' and firefighters'
40 system plan 2 retirement account, the Washington public safety

1 employees' plan 2 retirement account, the Washington school
2 employees' retirement system combined plan 2 and 3 account, the
3 Washington state patrol retirement account, the Washington State
4 University building account, the Washington State University bond
5 retirement fund, the water pollution control revolving administration
6 account, the water pollution control revolving fund, the Western
7 Washington University capital projects account, the Yakima integrated
8 plan implementation account, the Yakima integrated plan
9 implementation revenue recovery account, and the Yakima integrated
10 plan implementation taxable bond account. Earnings derived from
11 investing balances of the agricultural permanent fund, the normal
12 school permanent fund, the permanent common school fund, the
13 scientific permanent fund, and the state university permanent fund
14 shall be allocated to their respective beneficiary accounts.

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

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

24 NEW SECTION. **Sec. 20.** (1) Section 14 of this act expires the
25 earlier of July 1, 2028, or when RCW 74.76.040 expires.

26 (2) Section 15 of this act expires July 1, 2028.

27 (3) Section 16 of this act expires the earlier of January 1,
28 2029, or when RCW 74.76.040 expires.

29 (4) Section 17 of this act expires January 1, 2029.

30 (5) Section 18 of this act expires when RCW 74.76.040 expires.

31 NEW SECTION. **Sec. 21.** (1) Section 15 of this act takes effect
32 when RCW 74.76.040 expires.

33 (2) Sections 16 and 17 of this act take effect July 1, 2028.

34 (3) Sections 18 and 19 of this act take effect January 1, 2029.

1 NEW SECTION. **Sec. 22.** Sections 1, 2, 4 through 7, and 9 through
2 11 of this act constitute a new chapter in Title 43 RCW.

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