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**SUBSTITUTE HOUSE BILL 1118**

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**State of Washington**                      **68th Legislature**                      **2023 Regular Session**

**By** House Education (originally sponsored by Representatives Mosbrucker, Orwall, Jacobsen, and Wylie)

1            AN ACT Relating to school bus safety; amending RCW 28A.160.205,  
2 46.63.180, 43.84.092, and 43.84.092; adding a new section to chapter  
3 46.68 RCW; providing an effective date; and providing an expiration  
4 date.

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

6            **Sec. 1.** RCW 28A.160.205 and 2007 c 348 s 101 are each amended to  
7 read as follows:

8            (1) The office of the superintendent of public instruction shall  
9 implement a school bus replacement incentive program. As part of the  
10 program, the office shall fund up to ~~((ten))~~ 10 percent of the cost  
11 of a new ~~((2007 or later model year school bus that meets the 2007  
12 federal motor vehicle emission control standards and is purchased by  
13 a school district by no later than June 30, 2009))~~ school bus,  
14 provided that the new bus is replacing a 1994 or older school bus or  
15 the oldest bus in the school district's fleet. Replacement of the  
16 oldest buses must be given highest priority.

17            (2) The office of the superintendent of public instruction shall  
18 ensure that buses being replaced through this program are surplusued  
19 under RCW 28A.335.180. As part of the surplus process, school  
20 districts must provide written documentation to the office of the  
21 superintendent of public instruction demonstrating that buses being

1 replaced are scrapped and not purchased for road use. The  
2 documentation must include bus make, model, year, vehicle  
3 identification number, engine make, engine serial number, and salvage  
4 yard receipts; and must demonstrate that the engine and body of the  
5 bus being replaced has been rendered unusable.

6 (3) The office of the superintendent of public instruction may  
7 adopt any rules necessary for the implementation of chapter 348, Laws  
8 of 2007 and this act.

9 **Sec. 2.** RCW 46.63.180 and 2013 c 306 s 716 are each amended to  
10 read as follows:

11 (1) School districts may install and operate automated school bus  
12 safety cameras on school buses to be used for the detection of  
13 violations of RCW 46.61.370(1) if the use of the cameras is approved  
14 by a vote of the school district board of directors. School districts  
15 are not required to take school buses out of service if the buses are  
16 not equipped with automated school bus safety cameras or functional  
17 automated safety cameras. Further, school districts shall be held  
18 harmless from and not liable for any criminal or civil liability  
19 arising under the provisions of this section.

20 (a) Automated school bus safety cameras may only take pictures of  
21 the vehicle and vehicle license plate and only while an infraction is  
22 occurring. The picture must not reveal the face of the driver or of  
23 passengers in the vehicle.

24 (b) A notice of infraction must be mailed to the registered owner  
25 of the vehicle within (~~fourteen~~) 14 days of the violation, or to  
26 the renter of a vehicle within (~~fourteen~~) 14 days of establishing  
27 the renter's name and address under subsection (2)(a)(i) of this  
28 section. The law enforcement officer issuing the notice of infraction  
29 shall include a certificate or facsimile of the notice, based upon  
30 inspection of photographs, microphotographs, or electronic images  
31 produced by an automated school bus safety camera, stating the facts  
32 supporting the notice of infraction. This certificate or facsimile is  
33 prima facie evidence of the facts contained in it and is admissible  
34 in a proceeding charging a violation under this chapter. The  
35 photographs, microphotographs, or electronic images evidencing the  
36 violation must be available for inspection and admission into  
37 evidence in a proceeding to adjudicate the liability for the  
38 infraction. A person receiving a notice of infraction based on

1 evidence detected by an automated school bus safety camera may  
2 respond to the notice by mail.

3 (c) The registered owner of a vehicle is responsible for an  
4 infraction under RCW 46.63.030(1)(e) unless the registered owner  
5 overcomes the presumption in RCW 46.63.075, or, in the case of a  
6 rental car business, satisfies the conditions under subsection (2) of  
7 this section. If appropriate under the circumstances, a renter  
8 identified under subsection (2)(a)(i) of this section is responsible  
9 for an infraction.

10 (d) Notwithstanding any other provision of law, all photographs,  
11 microphotographs, or electronic images prepared under this section  
12 are for the exclusive use of law enforcement in the discharge of  
13 duties under this section and are not open to the public and may not  
14 be used in a court in a pending action or proceeding unless the  
15 action or proceeding relates to a violation under this section. No  
16 photograph, microphotograph, or electronic image may be used for any  
17 purpose other than enforcement of violations under this section nor  
18 retained longer than necessary to enforce this section.

19 (e) (~~(If)~~) When a school district installs and operates an  
20 automated school bus safety camera under this section, the  
21 compensation paid to the manufacturer or vendor of the equipment used  
22 must be based only upon the value of the equipment and services  
23 provided or rendered in support of the system, and may not be based  
24 upon a portion of the fine or civil penalty imposed or the revenue  
25 generated by the equipment. Further, any repair, replacement, or  
26 administrative work costs related to installing or repairing  
27 automated school bus safety cameras must be solely paid for by the  
28 manufacturer or vendor of the cameras. (~~Before entering~~) When a  
29 school district enters into a contract with the manufacturer or  
30 vendor of the equipment used under this subsection (1)(e), the school  
31 district must follow the competitive bid process as outlined in RCW  
32 28A.335.190(1).

33 (f) Except as provided otherwise in this subsection (1)(f) and  
34 subsections (4) and (5) of this section, any revenue collected from  
35 infractions detected through the use of automated school bus safety  
36 cameras, less the administration and operating costs of the cameras,  
37 must be remitted to school districts for school zone safety projects  
38 as determined by the school district using the automated school bus  
39 safety cameras. The administration and operating costs of the cameras  
40 includes infraction enforcement and processing costs that are

1 incurred by local law enforcement or local courts. During the  
2 2013-2015 fiscal biennium, the infraction revenue may also be used  
3 for school bus safety projects by those school districts eligible to  
4 apply for funding from the school zone safety account appropriation  
5 in section 201, chapter 306, Laws of 2013.

6 (2) (a) If the registered owner of the vehicle is a rental car  
7 business, the law enforcement agency shall, before a notice of  
8 infraction is issued under this section, provide a written notice to  
9 the rental car business that a notice of infraction may be issued to  
10 the rental car business if the rental car business does not, within  
11 (~~eighteen~~) 18 days of receiving the written notice, provide to the  
12 issuing agency by return mail:

13 (i) A statement under oath stating the name and known mailing  
14 address of the individual driving or renting the vehicle when the  
15 infraction occurred;

16 (ii) A statement under oath that the business is unable to  
17 determine who was driving or renting the vehicle at the time the  
18 infraction occurred because the vehicle was stolen at the time of the  
19 infraction. A statement provided under this subsection (2) (a) (ii)  
20 must be accompanied by a copy of a filed police report regarding the  
21 vehicle theft; or

22 (iii) In lieu of identifying the vehicle operator, the rental car  
23 business may pay the applicable penalty.

24 (b) Timely mailing of a statement under this subsection to the  
25 issuing law enforcement agency relieves a rental car business of any  
26 liability under this chapter for the notice of infraction.

27 (3) For purposes of this section, "automated school bus safety  
28 camera" means a device that is affixed to a school bus that is  
29 synchronized to automatically record one or more sequenced  
30 photographs, microphotographs, or electronic images of the rear of a  
31 vehicle at the time the vehicle is detected for an infraction  
32 identified in RCW 46.61.370(1).

33 (4) Any school district that is under a safety camera system  
34 contract before the effective date of this section must continue to  
35 receive funds from use of the safety camera systems that the school  
36 district has installed and may transfer the district's share of the  
37 funds to the district's transportation vehicle fund established under  
38 RCW 28A.160.130 in addition to using the funds for school zone safety  
39 projects.

1       (5) For any school district that installs automated school bus  
2 safety cameras on or after the effective date of this section, any  
3 revenue collected from infractions detected through the use of  
4 automated school bus safety cameras, less the administration and  
5 operating costs of the cameras, must be distributed as follows: (a)  
6 One-third to the school bus safety account created in section 3 of  
7 this act; (b) one-third to the law enforcement agency issuing the  
8 infraction; and (c) one-third to the court processing the infraction.

9       NEW SECTION. Sec. 3. A new section is added to chapter 46.68  
10 RCW to read as follows:

11       The school bus safety account is created in the state treasury.  
12 All receipts from RCW 46.63.180(5)(a) must be deposited into the  
13 account. Moneys in the account may be spent only after appropriation.  
14 Between the effective date of this section and July 31, 2028: The  
15 first \$10,000,000 in expenditures from the account for each year must  
16 be transferred to the general fund to pay for the cost of school bus  
17 safety systems; and any remaining expenditures must be used for the  
18 school bus replacement incentives under RCW 28A.160.205. Beginning  
19 August 1, 2028, expenditures from the account may only be used for  
20 school bus incentives under RCW 28A.160.205.

21       **Sec. 4.** RCW 43.84.092 and 2022 c 182 s 403 are each amended to  
22 read as follows:

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

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

1 this subsection. Refunds or allocations shall occur prior to the  
2 distributions of earnings set forth in subsection (4) of this  
3 section.

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

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

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

1 water assistance account, the early learning facilities development  
2 account, the early learning facilities revolving account, the Eastern  
3 Washington University capital projects account, the education  
4 construction fund, the education legacy trust account, the election  
5 account, the electric vehicle account, the energy freedom account,  
6 the energy recovery act account, the essential rail assistance  
7 account, The Evergreen State College capital projects account, the  
8 fair start for kids account, the ferry bond retirement fund, the  
9 fish, wildlife, and conservation account, the freight mobility  
10 investment account, the freight mobility multimodal account, the  
11 grade crossing protective fund, the public health services account,  
12 the state higher education construction account, the higher education  
13 construction account, the higher education retirement plan  
14 supplemental benefit fund, the highway bond retirement fund, the  
15 highway infrastructure account, the highway safety fund, the hospital  
16 safety net assessment fund, the Interstate 405 and state route number  
17 167 express toll lanes account, the judges' retirement account, the  
18 judicial retirement administrative account, the judicial retirement  
19 principal account, the limited fish and wildlife account, the local  
20 leasehold excise tax account, the local real estate excise tax  
21 account, the local sales and use tax account, the marine resources  
22 stewardship trust account, the medical aid account, the money-  
23 purchase retirement savings administrative account, the money-  
24 purchase retirement savings principal account, the motor vehicle  
25 fund, the motorcycle safety education account, the move ahead WA  
26 account, the move ahead WA flexible account, the multimodal  
27 transportation account, the multiuse roadway safety account, the  
28 municipal criminal justice assistance account, the oyster reserve  
29 land account, the pension funding stabilization account, the  
30 perpetual surveillance and maintenance account, the pilotage account,  
31 the pollution liability insurance agency underground storage tank  
32 revolving account, the public employees' retirement system plan 1  
33 account, the public employees' retirement system combined plan 2 and  
34 plan 3 account, the public facilities construction loan revolving  
35 account, the public health supplemental account, the public works  
36 assistance account, the Puget Sound capital construction account, the  
37 Puget Sound ferry operations account, the Puget Sound Gateway  
38 facility account, the Puget Sound taxpayer accountability account,  
39 the real estate appraiser commission account, the recreational  
40 vehicle account, the regional mobility grant program account, the

1 resource management cost account, the rural arterial trust account,  
2 the rural mobility grant program account, the rural Washington loan  
3 fund, the school bus safety account, the sexual assault prevention  
4 and response account, the site closure account, the skilled nursing  
5 facility safety net trust fund, the small city pavement and sidewalk  
6 account, the special category C account, the special wildlife  
7 account, the state investment board expense account, the state  
8 investment board commingled trust fund accounts, the state patrol  
9 highway account, the state reclamation revolving account, the state  
10 route number 520 civil penalties account, the state route number 520  
11 corridor account, the statewide broadband account, the statewide  
12 tourism marketing account, the supplemental pension account, the  
13 Tacoma Narrows toll bridge account, the teachers' retirement system  
14 plan 1 account, the teachers' retirement system combined plan 2 and  
15 plan 3 account, the tobacco prevention and control account, the  
16 tobacco settlement account, the toll facility bond retirement  
17 account, the transportation 2003 account (nickel account), the  
18 transportation equipment fund, the transportation future funding  
19 program account, the transportation improvement account, the  
20 transportation improvement board bond retirement account, the  
21 transportation infrastructure account, the transportation partnership  
22 account, the traumatic brain injury account, the University of  
23 Washington bond retirement fund, the University of Washington  
24 building account, the voluntary cleanup account, the volunteer  
25 firefighters' and reserve officers' relief and pension principal  
26 fund, the volunteer firefighters' and reserve officers'  
27 administrative fund, the vulnerable roadway user education account,  
28 the Washington judicial retirement system account, the Washington law  
29 enforcement officers' and firefighters' system plan 1 retirement  
30 account, the Washington law enforcement officers' and firefighters'  
31 system plan 2 retirement account, the Washington public safety  
32 employees' plan 2 retirement account, the Washington school  
33 employees' retirement system combined plan 2 and 3 account, the  
34 Washington state patrol retirement account, the Washington State  
35 University building account, the Washington State University bond  
36 retirement fund, the water pollution control revolving administration  
37 account, the water pollution control revolving fund, the Western  
38 Washington University capital projects account, the Yakima integrated  
39 plan implementation account, the Yakima integrated plan  
40 implementation revenue recovery account, and the Yakima integrated



1 plan implementation taxable bond account. Earnings derived from  
2 investing balances of the agricultural permanent fund, the normal  
3 school permanent fund, the permanent common school fund, the  
4 scientific permanent fund, and the state university permanent fund  
5 shall be allocated to their respective beneficiary accounts.

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

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

15 **Sec. 5.** RCW 43.84.092 and 2022 c 182 s 404 are each amended to  
16 read as follows:

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

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

36 (3) Except for the provisions of RCW 43.84.160, the treasury  
37 income account may be utilized for the payment of purchased banking  
38 services on behalf of treasury funds including, but not limited to,  
39 depository, safekeeping, and disbursement functions for the state

1 treasury and affected state agencies. The treasury income account is  
2 subject in all respects to chapter 43.88 RCW, but no appropriation is  
3 required for payments to financial institutions. Payments shall occur  
4 prior to distribution of earnings set forth in subsection (4) of this  
5 section.

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

10 (a) The following accounts and funds shall receive their  
11 proportionate share of earnings based upon each account's and fund's  
12 average daily balance for the period: The abandoned recreational  
13 vehicle disposal account, the aeronautics account, the Alaskan Way  
14 viaduct replacement project account, the brownfield redevelopment  
15 trust fund account, the budget stabilization account, the capital  
16 vessel replacement account, the capitol building construction  
17 account, the Central Washington University capital projects account,  
18 the charitable, educational, penal and reformatory institutions  
19 account, the Chehalis basin account, the Chehalis basin taxable  
20 account, the cleanup settlement account, the climate active  
21 transportation account, the climate transit programs account, the  
22 Columbia river basin water supply development account, the Columbia  
23 river basin taxable bond water supply development account, the  
24 Columbia river basin water supply revenue recovery account, the  
25 common school construction fund, the community forest trust account,  
26 the connecting Washington account, the county arterial preservation  
27 account, the county criminal justice assistance account, the deferred  
28 compensation administrative account, the deferred compensation  
29 principal account, the department of licensing services account, the  
30 department of retirement systems expense account, the developmental  
31 disabilities community services account, the diesel idle reduction  
32 account, the drinking water assistance account, the administrative  
33 subaccount of the drinking water assistance account, the early  
34 learning facilities development account, the early learning  
35 facilities revolving account, the Eastern Washington University  
36 capital projects account, the education construction fund, the  
37 education legacy trust account, the election account, the electric  
38 vehicle account, the energy freedom account, the energy recovery act  
39 account, the essential rail assistance account, The Evergreen State  
40 College capital projects account, the fair start for kids account,

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

1 accounts, the state patrol highway account, the state reclamation  
2 revolving account, the state route number 520 civil penalties  
3 account, the state route number 520 corridor account, the statewide  
4 broadband account, the statewide tourism marketing account, the  
5 supplemental pension account, the Tacoma Narrows toll bridge account,  
6 the teachers' retirement system plan 1 account, the teachers'  
7 retirement system combined plan 2 and plan 3 account, the tobacco  
8 prevention and control account, the tobacco settlement account, the  
9 toll facility bond retirement account, the transportation 2003  
10 account (nickel account), the transportation equipment fund, the  
11 transportation future funding program account, the transportation  
12 improvement account, the transportation improvement board bond  
13 retirement account, the transportation infrastructure account, the  
14 transportation partnership account, the traumatic brain injury  
15 account, the University of Washington bond retirement fund, the  
16 University of Washington building account, the voluntary cleanup  
17 account, the volunteer firefighters' and reserve officers' relief and  
18 pension principal fund, the volunteer firefighters' and reserve  
19 officers' administrative fund, the vulnerable roadway user education  
20 account, the Washington judicial retirement system account, the  
21 Washington law enforcement officers' and firefighters' system plan 1  
22 retirement account, the Washington law enforcement officers' and  
23 firefighters' system plan 2 retirement account, the Washington public  
24 safety employees' plan 2 retirement account, the Washington school  
25 employees' retirement system combined plan 2 and 3 account, the  
26 Washington state patrol retirement account, the Washington State  
27 University building account, the Washington State University bond  
28 retirement fund, the water pollution control revolving administration  
29 account, the water pollution control revolving fund, the Western  
30 Washington University capital projects account, the Yakima integrated  
31 plan implementation account, the Yakima integrated plan  
32 implementation revenue recovery account, and the Yakima integrated  
33 plan implementation taxable bond account. Earnings derived from  
34 investing balances of the agricultural permanent fund, the normal  
35 school permanent fund, the permanent common school fund, the  
36 scientific permanent fund, and the state university permanent fund  
37 shall be allocated to their respective beneficiary accounts.

38 (b) Any state agency that has independent authority over accounts  
39 or funds not statutorily required to be held in the state treasury  
40 that deposits funds into a fund or account in the state treasury

1 pursuant to an agreement with the office of the state treasurer shall  
2 receive its proportionate share of earnings based upon each account's  
3 or fund's average daily balance for the period.

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

7 NEW SECTION. **Sec. 6.** Section 4 of this act expires July 1,  
8 2024.

9 NEW SECTION. **Sec. 7.** Section 5 of this act takes effect July 1,  
10 2024.

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