
SENATE BILL 5870

State of Washington

67th Legislature

2022 Regular Session

By Senators Frockt, Pedersen, and Lovick

Read first time 01/14/22. Referred to Committee on Law & Justice.

1 AN ACT Relating to the uniform college athlete name, image, or
2 likeness act; amending RCW 42.56.270; adding a new chapter to Title
3 63 RCW; and prescribing penalties.

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

5 NEW SECTION. **Sec. 1.** SHORT TITLE. This act may be known and
6 cited as the uniform college athlete name, image, or likeness act.

7 NEW SECTION. **Sec. 2.** DEFINITIONS. The definitions in this
8 section apply throughout this chapter unless the context clearly
9 requires otherwise.

10 (1) "Athletic association" means a nonprofit intercollegiate
11 sport governance association that regulates the eligibility of
12 players and institutions.

13 (2) "College athlete" means an individual who attends or is
14 eligible to attend an institution and engages in or is eligible to
15 engage in an intercollegiate sport regulated by an athletic
16 association. The term does not include an individual:

17 (a) Participating in a sport in kindergarten through grade 12 or
18 at a youth, preparatory school, recreation, or similar level; or

19 (b) Permanently ineligible to participate in a particular
20 intercollegiate sport for that sport.

1 (3) "Conference" means an association, other than a national
2 athletic association, that sponsors or arranges amateur
3 intercollegiate athletic competition between institutions of higher
4 education and sets common rules, standards, procedures, or guidelines
5 for the association.

6 (4) "Enrolled" means registered for courses and listed on the
7 squad list for an athletic program regulated by an athletic
8 association at an institution. "Enrolls" has a corresponding meaning.

9 (5) "Financial aid" means athletics-related aid offered or
10 provided by an institution to a prospective or current college
11 athlete.

12 (6) "Group license" means a name, image, or likeness agreement
13 that covers the name, image, or likeness of more than one college
14 athlete.

15 (7) "Institution" means a public or private institution of higher
16 education in this state, including a community college, junior
17 college, college, and university. "Institution" includes all
18 institutions of higher education as defined in RCW 28B.10.016.

19 (8) "Intercollegiate sport" means a sport played at the
20 collegiate level for which eligibility requirements for participation
21 by a college athlete are established by an athletic association.
22 "Intercollegiate sport" does not include a recreational, intramural,
23 or club sport.

24 (9) "Name, image, or likeness" means "name" and "likeness" as
25 defined in RCW 63.60.020.

26 (10) "Name, image, or likeness activity" means licensing,
27 transferring, or other commercial use of a name, image, or likeness.

28 (11) "Name, image, or likeness agent" means an individual who:

29 (a) Directly or indirectly recruits or solicits a college athlete
30 or, if the athlete is a minor, the athlete's parent or guardian, to
31 enter into an agency contract or name, image, or likeness agreement;

32 (b) Enters into an agency contract with an athlete or, if the
33 athlete is a minor, the athlete's parent or guardian;

34 (c) Directly or indirectly offers, promises, attempts, or
35 negotiates to obtain name, image, or likeness compensation or a name,
36 image, or likeness agreement; or

37 (d) Is an "athlete agent" as defined in RCW 19.225.010.

38 (12) "Name, image, or likeness agreement" means an express or
39 implied agreement, oral or in a record, under which a third party
40 provides name, image, or likeness compensation.

1 (13) "Name, image, or likeness compensation" means money or other
2 thing of value provided by a third party in exchange for use of a
3 college athlete's name, image, or likeness.

4 (14) "Person" means an individual, estate, business or nonprofit
5 entity, public corporation, government or governmental subdivision,
6 agency, or instrumentality, or any other legal or commercial entity.

7 (15) "Record" means information:

8 (a) Inscribed on a tangible medium; or

9 (b) Stored in an electronic or other medium and retrievable in
10 perceivable form.

11 (16) "Recruit or solicit" has the same meaning as in RCW
12 19.225.010.

13 (17) "State" means a state of the United States, the District of
14 Columbia, Puerto Rico, the United States Virgin Islands, or any other
15 territory or possession subject to the jurisdiction of the United
16 States.

17 (18) "Student" means an individual enrolled at an institution
18 under the rules of the institution.

19 (19) "Third party" means a person, other than an institution,
20 that offers, solicits, or enters into a name, image, or likeness
21 agreement or offers or provides name, image, or likeness
22 compensation.

23 NEW SECTION. **Sec. 3.** SCOPE. (1) This chapter applies only to
24 college athletes and intercollegiate sports.

25 (2) This chapter does not create an employment relationship
26 between a college athlete and the athlete's institution with respect
27 to the athlete's participation in an intercollegiate sport. This
28 chapter may not be used as a factor in determining whether an
29 employment relationship exists.

30 NEW SECTION. **Sec. 4.** RULE-MAKING AUTHORITY. When requested by
31 at least one institution, the Washington student achievement council
32 shall convene a committee of representatives from institutions within
33 the state that oversee at least one intercollegiate athletics program
34 regulated by an association. This committee may be made up of members
35 chosen by each individual institution and may adopt rules under
36 chapter 34.05 RCW to administer and implement this chapter.

1 NEW SECTION. **Sec. 5.** NAME, IMAGE, OR LIKENESS ACTIVITY AND
2 COMPENSATION—LIMIT ON INSTITUTION, CONFERENCE, AND ATHLETIC
3 ASSOCIATION. (1) Except as provided in this section, this chapter
4 does not limit the ability of a college athlete to engage in name,
5 image, or likeness activity to the extent permitted under other law
6 of Washington state.

7 (2) Except as provided in this section:

8 (a) An institution, conference, or athletic association may not:

9 (i) Prevent or restrict a college athlete from:

10 (A) Receiving name, image, or likeness compensation;

11 (B) Entering into a name, image, or likeness agreement;

12 (C) Engaging in name, image, or likeness activity;

13 (D) Obtaining the services of a name, image, or likeness agent;

14 or

15 (E) Creating or participating in a group license; or

16 (ii) Interfere with the formation or recognition of a collective
17 representative to facilitate or provide representation to negotiate a
18 group license;

19 (b) An athletic association may not prevent or restrict an
20 institution or college athlete from participating in an
21 intercollegiate sport because the athlete receives name, image, or
22 likeness compensation, enters into a name, image, or likeness
23 agreement, engages in name, image, or likeness activity, or obtains
24 the services of a name, image, or likeness agent; and

25 (c) Receipt of name, image, or likeness compensation may not
26 affect eligibility of a college athlete or the duration, amount, or
27 renewal of an athletic scholarship.

28 NEW SECTION. **Sec. 6.** LIMIT ON NAME, IMAGE, OR LIKENESS ACTIVITY
29 AND COMPENSATION. (1) Unless the use is permitted under intellectual
30 property law and approved by the applicable institution, conference,
31 or athletic association, a college athlete may not include in name,
32 image, or likeness activity an institution, conference, or athletic
33 association name, trademark, service mark, logo, uniform design, or
34 other identifier of athletic performance depicted or included in a
35 media broadcast or related game footage.

36 (2) Name, image, or likeness compensation or an offer, promise,
37 or solicitation of compensation:

1 (a) May not attempt to influence the decision of a college
2 athlete to attend, continue attending, or transfer to an institution
3 or an institution in a conference;

4 (b) Must represent only consideration for use of the college
5 athlete's name, image, or likeness or for work actually performed;

6 (c) May not include compensation for the college athlete's
7 enrollment at a specific institution, or the college athlete's
8 specific performance, participation, or service in an intercollegiate
9 sport; and

10 (d) May not include compensation for the college athlete's
11 endorsement of a banned substance or of sports wagering.

12 (3) A college athlete may not express or imply that an
13 institution, conference, or athletic association endorses or is
14 otherwise affiliated with the athlete's name, image, or likeness
15 activity.

16 (4) An institution may adopt a policy to prevent a college
17 athlete from engaging in name, image, or likeness activity that is
18 illegal or, if the institution complies with the same policy with
19 respect to the institution's sponsorships, multimedia rights, apparel
20 agreement, facility naming rights, licensing, and similar activity,
21 the institution determines has an adverse impact on its reputation.
22 An institution that adopts a policy under this subsection shall
23 disclose the policy and the institution's rationale in a record
24 maintained on the institution's website that is accessible by the
25 public and electronically searchable.

26 (5) An institution may adopt and enforce rules of conduct
27 relating to name, image, or likeness activity that apply when the
28 college athlete is engaged in an official team activity. An official
29 team activity includes a competition, practice, supervised workout,
30 community service activity done at the direction of, or supervised
31 by, a member of the institution's coaching or sport staff, and/or any
32 other event that has been organized or authorized by an athletics
33 representative of an institution, association, or conference
34 regardless of whether such event occurs on or off the campus of an
35 institution or during or outside the applicable season for
36 competition.

37 (6) An institution, conference, or athletic association may
38 require a college athlete to waive a name, image, or likeness right
39 associated with promotion, display, broadcast, or rebroadcast related
40 to an intercollegiate sport, or the institution.

1 NEW SECTION. **Sec. 7.** INSTITUTION INVOLVEMENT. (1) An
2 institution may:

3 (a) Assist a college athlete:

4 (i) In evaluating the permissibility of name, image, or likeness
5 activity, including compliance with law and institution rules or
6 policy;

7 (ii) With the disclosure requirements of this section;

8 (iii) By providing good faith advising and evaluation of name,
9 image, or likeness activity including agent review and contract
10 review. Contract review is to be limited coordination with existing
11 university agreements and to ensure compliance with institution rules
12 and policies; and

13 (iv) In connecting or networking with third parties interested in
14 facilitating or engaging in name, image, or likeness activity with a
15 student athlete or group of student athletes;

16 (b) Educate the college athlete about name, image, or likeness
17 compensation, agreements, and activity; and

18 (c) Acknowledge and display the names or trademarks of third
19 parties that facilitate or engage in name, image, or likeness
20 activities with student athletes at the institution.

21 (2) An institution may permit a college athlete to use the
22 institution's facilities for name, image, or likeness activity under
23 the same terms and conditions as other students at the institution.

24 (3) Except as provided in subsections (1) and (2) of this
25 section, an institution and its employees, agents, and independent
26 contractors may not:

27 (a) Provide compensation to a college athlete for the athlete's
28 name, image, or likeness;

29 (b) Arrange, develop, or secure specific name, image, or likeness
30 activity;

31 (c) Assist with selecting, arranging for, or providing payment to
32 a name, image, or likeness agent;

33 (d) Assist with selecting, arranging for, or collecting payment
34 from a third party engaged in specific name, image, or likeness
35 agreements with a college athlete or athletes.

36 (4) No state employee whose job responsibilities include working
37 with or advising college athletes or an institution shall be found in
38 violation of chapter 42.52 RCW for good faith work-related activity
39 permitted by this chapter.

1 NEW SECTION. **Sec. 8.** REQUIRED DISCLOSURES. (1) In addition to
2 any applicable institution policy, a college athlete shall provide or
3 disclose to the individual or office designated under subsection (2)
4 of this section:

5 (a) A copy of a name, image, or likeness agreement that provides
6 name, image, or likeness compensation to the athlete or the athlete's
7 designee in an amount more than \$300 or, if a record of the agreement
8 does not exist, the amount of name, image, or likeness compensation
9 provided or to be provided, if the amount is more than \$300;

10 (b) The amount of name, image, or likeness compensation provided
11 to the athlete or the athlete's designee if the aggregate amount is
12 more than \$2,000 in a calendar year and a copy of each name, image,
13 or likeness agreement if a record of the agreement exists;

14 (c) For each agreement or amount that must be provided:

15 (i) The arrangement for providing compensation;

16 (ii) The amount of compensation;

17 (iii) The identity of and a description of the relationship with
18 the third party;

19 (iv) The activity required or authorized;

20 (v) If the athlete is represented by a name, image, or likeness
21 agent, the name of and a description of the agreement with the agent;
22 and

23 (vi) The approval from an institution required by section 6(1) of
24 this act, if applicable;

25 (d) A copy of each agreement entered into by the athlete with a
26 name, image, or likeness agent; and

27 (e) Other information required by the Washington student
28 achievement council.

29 (2) An institution shall designate an individual or office to
30 receive the information required by subsection (1) of this section.

31 (3) A college athlete shall provide:

32 (a) The information required by subsection (1) of this section
33 before the earlier of:

34 (i) Receiving name, image, or likeness compensation required to
35 be disclosed; or

36 (ii) Engaging in a name, image, or likeness activity required to
37 be disclosed; and

38 (b) An update after a change in any of the information required
39 by subsection (1) of this section, not later than 10 days after the

1 earlier of the change or the next scheduled athletic event in which
2 the athlete may participate.

3 (4) If an institution voluntarily, or as required by this
4 chapter, adopts a limitation affecting a college athlete's ability to
5 engage in name, image, or likeness activity, the institution shall
6 provide in a record a copy of the limitation on its website that is
7 accessible by the public and electronically searchable and to each
8 athlete the institution expects to participate in an intercollegiate
9 sport:

10 (a) At or before the time an offer of admission or financial aid
11 is made, whichever is earlier; or

12 (b) If the limitation is adopted after the athlete is a student
13 at the institution, as soon as practicable after adoption.

14 (5) A name, image, or likeness agreement must contain a statement
15 that the agreement is the sole, complete, and final agreement between
16 the parties. The statement must be made by:

17 (a) The college athlete or, if the athlete is a minor, the parent
18 or guardian of the athlete;

19 (b) The third party; and

20 (c) If a name, image, or likeness agent provided service in
21 connection with the agreement, the agent.

22 NEW SECTION. **Sec. 9.** REGISTRATION AS A NAME, IMAGE, OR LIKENESS
23 AGENT—DUTIES—FEE ARRANGEMENTS. (1) A name, image, or likeness agent
24 shall register in Washington state as an athlete agent under chapter
25 19.225 RCW before engaging in conduct under this chapter.

26 (2) An agreement between a college athlete and a name, image, or
27 likeness agent must have a fee arrangement consistent with the
28 customary practice of the agent's industry and otherwise complying
29 with chapter 19.225 RCW.

30 NEW SECTION. **Sec. 10.** PROHIBITED CONDUCT BY THIRD PARTY. A
31 third party may not intentionally:

32 (1) Give materially false or misleading information or make a
33 materially false promise or representation with the intent to
34 influence a college athlete, parent or guardian of the athlete, or
35 another person to enter into a name, image, or likeness agreement,
36 receive name, image, or likeness compensation, or engage in name,
37 image, or likeness activity;

1 (2) Provide anything of value to a college athlete or another
2 person except as permitted under this chapter, if to do so may result
3 in loss of the athlete's eligibility to participate in the athlete's
4 sport; or

5 (3) Predate or postdate a name, image, or likeness agreement.

6 NEW SECTION. **Sec. 11.** CIVIL REMEDY. (1) An institution or
7 college athlete has a cause of action for damages against a name,
8 image, or likeness agent or third party if the institution or athlete
9 is adversely affected by an act or omission of the agent or third
10 party in violation of this chapter. An institution or athlete is
11 adversely affected by an act or omission of the agent or third party
12 only if, because of the act or omission, the institution or athlete:

13 (a) Is sanctioned, suspended, or declared ineligible to
14 participate in an intercollegiate sport; or

15 (b) Suffers financial damage.

16 (2) A college athlete has a cause of action under this section
17 only if the athlete was a student at an institution at the time of
18 the act or omission.

19 (3) In an action under this section, a prevailing plaintiff may
20 recover actual damages, reasonable attorneys' fees, court costs, and
21 other reasonable litigation expenses.

22 (4) The institution shall be able to enforce all code of conduct
23 rules, university policies, athletic team rules or standards, and
24 statutes.

25 (5) The legislature finds that the practices covered by this
26 chapter are matters vitally affecting the public interest for the
27 purpose of applying chapter 19.86 RCW. A violation of this chapter is
28 not reasonable in relation to the development and preservation of
29 business and is an unfair or deceptive act in trade or commerce and
30 an unfair method of competition for the purpose of applying chapter
31 19.86 RCW.

32 NEW SECTION. **Sec. 12.** CIVIL PENALTY. The attorney general and
33 the Washington student achievement council may assess a civil penalty
34 against a name, image, or likeness agent or third party not to exceed
35 \$50,000 for a violation of this chapter.

36 NEW SECTION. **Sec. 13.** UNIFORMITY OF APPLICATION AND
37 CONSTRUCTION. In applying and construing this uniform act, a court

1 shall consider the promotion of uniformity of the law among
2 jurisdictions that enact it.

3 NEW SECTION. **Sec. 14.** RELATION TO ELECTRONIC SIGNATURES IN
4 GLOBAL AND NATIONAL COMMERCE ACT. This chapter modifies, limits, or
5 supersedes the electronic signatures in global and national commerce
6 act, 15 U.S.C. Sec. 7001 et seq., as amended, but does not modify,
7 limit, or supersede 15 U.S.C. Sec. 7001(c), or authorize electronic
8 delivery of any of the notices described in 15 U.S.C. Sec. 7003(b).

9 NEW SECTION. **Sec. 15.** SEVERABILITY. If any provision of this
10 act or its application to any person or circumstance is held invalid,
11 the remainder of the act or the application of the provision to other
12 persons or circumstances is not affected.

13 NEW SECTION. **Sec. 16.** Sections 1 through 15 of this act
14 constitute a new chapter in Title 63 RCW.

15 **Sec. 17.** RCW 42.56.270 and 2021 c 308 s 4 are each amended to
16 read as follows:

17 The following financial, commercial, and proprietary information
18 is exempt from disclosure under this chapter:

19 (1) Valuable formulae, designs, drawings, computer source code or
20 object code, and research data obtained by any agency within five
21 years of the request for disclosure when disclosure would produce
22 private gain and public loss;

23 (2) Financial information supplied by or on behalf of a person,
24 firm, or corporation for the purpose of qualifying to submit a bid or
25 proposal for (a) a ferry system construction or repair contract as
26 required by RCW 47.60.680 through 47.60.750; (b) highway construction
27 or improvement as required by RCW 47.28.070; or (c) alternative
28 public works contracting procedures as required by RCW 39.10.200
29 through 39.10.905;

30 (3) Financial and commercial information and records supplied by
31 private persons pertaining to export services provided under chapters
32 43.163 and 53.31 RCW, and by persons pertaining to export projects
33 under RCW 43.23.035;

34 (4) Financial and commercial information and records supplied by
35 businesses or individuals during application for loans or program
36 services provided by chapters 43.325, 43.163, 43.160, 43.330, and

1 43.168 RCW, or during application for economic development loans or
2 program services provided by any local agency;

3 (5) Financial information, business plans, examination reports,
4 and any information produced or obtained in evaluating or examining a
5 business and industrial development corporation organized or seeking
6 certification under chapter 31.24 RCW;

7 (6) Financial and commercial information supplied to the state
8 investment board by any person when the information relates to the
9 investment of public trust or retirement funds and when disclosure
10 would result in loss to such funds or in private loss to the
11 providers of this information;

12 (7) Financial and valuable trade information under RCW 51.36.120;

13 (8) Financial, commercial, operations, and technical and research
14 information and data submitted to or obtained by the clean Washington
15 center in applications for, or delivery of, program services under
16 chapter 70.95H RCW;

17 (9) Financial and commercial information requested by the public
18 stadium authority from any person or organization that leases or uses
19 the stadium and exhibition center as defined in RCW 36.102.010;

20 (10)(a) Financial information, including but not limited to
21 account numbers and values, and other identification numbers supplied
22 by or on behalf of a person, firm, corporation, limited liability
23 company, partnership, or other entity related to an application for a
24 horse racing license submitted pursuant to RCW 67.16.260(1)(b),
25 marijuana producer, processor, or retailer license, liquor license,
26 gambling license, or lottery retail license;

27 (b) Internal control documents, independent auditors' reports and
28 financial statements, and supporting documents: (i) Of house-banked
29 social card game licensees required by the gambling commission
30 pursuant to rules adopted under chapter 9.46 RCW; or (ii) submitted
31 by tribes with an approved tribal/state compact for class III gaming;

32 (c) Valuable formulae or financial or proprietary commercial
33 information records received during a consultative visit or while
34 providing consultative services to a licensed marijuana business in
35 accordance with RCW 69.50.561;

36 (11) Proprietary data, trade secrets, or other information that
37 relates to: (a) A vendor's unique methods of conducting business; (b)
38 data unique to the product or services of the vendor; or (c)
39 determining prices or rates to be charged for services, submitted by
40 any vendor to the department of social and health services or the

1 health care authority for purposes of the development, acquisition,
2 or implementation of state purchased health care as defined in RCW
3 41.05.011;

4 (12)(a) When supplied to and in the records of the department of
5 commerce:

6 (i) Financial and proprietary information collected from any
7 person and provided to the department of commerce pursuant to RCW
8 43.330.050(8);

9 (ii) Financial or proprietary information collected from any
10 person and provided to the department of commerce or the office of
11 the governor in connection with the siting, recruitment, expansion,
12 retention, or relocation of that person's business and until a siting
13 decision is made, identifying information of any person supplying
14 information under this subsection and the locations being considered
15 for siting, relocation, or expansion of a business; and

16 (iii) Financial or proprietary information collected from any
17 person and provided to the department of commerce pursuant to RCW
18 43.31.625 (3)(b) and (4);

19 (b) When developed by the department of commerce based on
20 information as described in (a)(i) of this subsection, any work
21 product is not exempt from disclosure;

22 (c) For the purposes of this subsection, "siting decision" means
23 the decision to acquire or not to acquire a site;

24 (d) If there is no written contact for a period of sixty days to
25 the department of commerce from a person connected with siting,
26 recruitment, expansion, retention, or relocation of that person's
27 business, information described in (a)(ii) of this subsection will be
28 available to the public under this chapter;

29 (13) Financial and proprietary information submitted to or
30 obtained by the department of ecology or the authority created under
31 chapter 70A.500 RCW to implement chapter 70A.500 RCW;

32 (14) Financial, commercial, operations, and technical and
33 research information and data submitted to or obtained by the life
34 sciences discovery fund authority in applications for, or delivery
35 of, grants under RCW 43.330.502, to the extent that such information,
36 if revealed, would reasonably be expected to result in private loss
37 to the providers of this information;

38 (15) Financial and commercial information provided as evidence to
39 the department of licensing as required by RCW 19.112.110 or
40 19.112.120, except information disclosed in aggregate form that does

1 not permit the identification of information related to individual
2 fuel licensees;

3 (16) Any production records, mineral assessments, and trade
4 secrets submitted by a permit holder, mine operator, or landowner to
5 the department of natural resources under RCW 78.44.085;

6 (17)(a) Farm plans developed by conservation districts, unless
7 permission to release the farm plan is granted by the landowner or
8 operator who requested the plan, or the farm plan is used for the
9 application or issuance of a permit;

10 (b) Farm plans developed under chapter 90.48 RCW and not under
11 the federal clean water act, 33 U.S.C. Sec. 1251 et seq., are subject
12 to RCW 42.56.610 and 90.64.190;

13 (18) Financial, commercial, operations, and technical and
14 research information and data submitted to or obtained by a health
15 sciences and services authority in applications for, or delivery of,
16 grants under RCW 35.104.010 through 35.104.060, to the extent that
17 such information, if revealed, would reasonably be expected to result
18 in private loss to providers of this information;

19 (19) Information gathered under chapter 19.85 RCW or RCW
20 34.05.328 that can be identified to a particular business;

21 (20) Financial and commercial information submitted to or
22 obtained by the University of Washington, other than information the
23 university is required to disclose under RCW 28B.20.150, when the
24 information relates to investments in private funds, to the extent
25 that such information, if revealed, would reasonably be expected to
26 result in loss to the University of Washington consolidated endowment
27 fund or to result in private loss to the providers of this
28 information;

29 (21) Market share data submitted by a manufacturer under RCW
30 70A.500.190(4);

31 (22) Financial information supplied to the department of
32 financial institutions, when filed by or on behalf of an issuer of
33 securities for the purpose of obtaining the exemption from state
34 securities registration for small securities offerings provided under
35 RCW 21.20.880 or when filed by or on behalf of an investor for the
36 purpose of purchasing such securities;

37 (23) Unaggregated or individual notices of a transfer of crude
38 oil that is financial, proprietary, or commercial information,
39 submitted to the department of ecology pursuant to RCW
40 90.56.565(1)(a), and that is in the possession of the department of

1 ecology or any entity with which the department of ecology has shared
2 the notice pursuant to RCW 90.56.565;

3 (24) Financial institution and retirement account information,
4 and building security plan information, supplied to the liquor and
5 cannabis board pursuant to RCW 69.50.325, 69.50.331, 69.50.342, and
6 69.50.345, when filed by or on behalf of a licensee or prospective
7 licensee for the purpose of obtaining, maintaining, or renewing a
8 license to produce, process, transport, or sell marijuana as allowed
9 under chapter 69.50 RCW;

10 (25) Marijuana transport information, vehicle and driver
11 identification data, and account numbers or unique access identifiers
12 issued to private entities for traceability system access, submitted
13 by an individual or business to the liquor and cannabis board under
14 the requirements of RCW 69.50.325, 69.50.331, 69.50.342, and
15 69.50.345 for the purpose of marijuana product traceability.
16 Disclosure to local, state, and federal officials is not considered
17 public disclosure for purposes of this section;

18 (26) Financial and commercial information submitted to or
19 obtained by the retirement board of any city that is responsible for
20 the management of an employees' retirement system pursuant to the
21 authority of chapter 35.39 RCW, when the information relates to
22 investments in private funds, to the extent that such information, if
23 revealed, would reasonably be expected to result in loss to the
24 retirement fund or to result in private loss to the providers of this
25 information except that (a) the names and commitment amounts of the
26 private funds in which retirement funds are invested and (b) the
27 aggregate quarterly performance results for a retirement fund's
28 portfolio of investments in such funds are subject to disclosure;

29 (27) Proprietary financial, commercial, operations, and technical
30 and research information and data submitted to or obtained by the
31 liquor and cannabis board in applications for marijuana research
32 licenses under RCW 69.50.372, or in reports submitted by marijuana
33 research licensees in accordance with rules adopted by the liquor and
34 cannabis board under RCW 69.50.372;

35 (28) Trade secrets, technology, proprietary information, and
36 financial considerations contained in any agreements or contracts,
37 entered into by a licensed marijuana business under RCW 69.50.395,
38 which may be submitted to or obtained by the state liquor and
39 cannabis board;

1 (29) Financial, commercial, operations, and technical and
2 research information and data submitted to or obtained by the Andy
3 Hill cancer research endowment program in applications for, or
4 delivery of, grants under chapter 43.348 RCW, to the extent that such
5 information, if revealed, would reasonably be expected to result in
6 private loss to providers of this information;

7 (30) Proprietary information filed with the department of health
8 under chapter 69.48 RCW;

9 (31) Records filed with the department of ecology under chapter
10 70A.515 RCW that a court has determined are confidential valuable
11 commercial information under RCW 70A.515.130; (~~and~~)

12 (32) Unaggregated financial, proprietary, or commercial
13 information submitted to or obtained by the liquor and cannabis board
14 in applications for licenses under RCW 66.24.140 or 66.24.145, or in
15 any reports or remittances submitted by a person licensed under RCW
16 66.24.140 or 66.24.145 under rules adopted by the liquor and cannabis
17 board under chapter 66.08 RCW; and

18 (33) College athlete disclosures related to name, image, or
19 likeness activity under chapter 63.--- RCW (the new chapter created
20 in section 16 of this act).

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