

ESB 5241 - H AMD TO APP COMM AMD (H-3433.2/24) **1176**

By Representative Walsh

NOT CONSIDERED 03/07/2024

1 On page 18, line 28 of the striking amendment, after "(2)" strike
2 "For at least 10" and insert "(a) For material change transactions
3 limited to the preliminary review under section 10 of this act or
4 reviewed under the emergency review process pursuant to RCW
5 19.390.040, for at least three years the attorney general shall
6 monitor the parties' and any successor persons' ongoing compliance
7 with this chapter.

8 (b) For material change transactions subject to comprehensive
9 review, for at least six"

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11 On page 18, line 31 of the striking amendment, after "(3)" strike
12 "The attorney general shall, for 10" and insert "(a) For material
13 change transactions limited to the preliminary review under section 10
14 of this act or reviewed under the emergency review process pursuant to
15 RCW 19.390.040, the attorney general shall, for three years, require
16 annual reports from the parties to the material change transaction or
17 any successor persons to ensure compliance with section 9 of this act
18 and any conditions or modifications the attorney general imposed on
19 the material change transaction. The attorney general may request
20 information and documents and conduct on-site compliance audits.

21 (b) For material change transactions subject to comprehensive
22 review, the attorney general shall, for six"

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24 On page 19, line 33 of the striking amendment, after "within"
25 strike "30" and insert "60"

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1 On page 19, at the beginning of line 34 of the striking amendment,
2 strike "of five percent of the billed amount for each day" and insert
3 "of one percent of the delinquent amount for each month"
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EFFECT: Establishes different monitoring and reporting requirements for preliminary, emergency, and comprehensive reviews: (1) For preliminary or emergency reviews, the Attorney General (AG) must monitor compliance for at least three years and require annual reports for three years; and (2) for comprehensive reviews, the AG must monitor compliance for at least six years and require biennial reports for six years. (The underlying striking amendment requires monitoring for at least 10 years and biennial reporting for 10 years for all types of reviews.)

Extends the period of time within which a party must pay amounts owed to the AG from 30 days to 60 days. Reduces the fine for delinquent payments from 5% of the billed amount for each day the party does not pay to 1% of the delinquent amount for each month the party does not pay.

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