

2SHB 1474 - S COMM AMD
By Committee on Housing

ADOPTED 04/07/2023

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** (1) The legislature finds that:

4 (a) Generations of systemic, racist, and discriminatory policies
5 and practices have created barriers to credit and homeownership for
6 black, indigenous, and people of color and other historically
7 marginalized communities in Washington state. The legislature finds
8 that these policies and practices include redlining, racially
9 restrictive covenants, mortgage subsidies and incentives, and
10 displacement and gentrification.

11 (b) The state government was both an active and passive
12 participant in this discrimination. For example, the legislature
13 recognizes the role of state courts in facilitating discrimination by
14 property owners; the existence of mandatory recording statutes that
15 required county auditors to record racially restrictive covenants;
16 the passage of the urban renewal law authorizing the designation,
17 regulation, and displacement of certain neighborhoods that were
18 deemed to be blighted; and state funding and regulation of the real
19 estate and banking industries in ways that facilitated or promoted
20 private discrimination. The legislature finds that the specific
21 discriminatory acts and omissions are well documented, including in
22 numerous public and private studies, reports, and other publications.

23 (c) This discrimination and its impacts continue to exist in the
24 present day. The legislature recognizes that the homeownership rate
25 for black, indigenous, and people of color and other historically
26 marginalized communities in Washington is 19 percent below that of
27 non-Hispanic white households, and the homeownership rate for black
28 households is even lower. The legislature recognizes that credit,
29 including home mortgages, is harder and more expensive to obtain for
30 black, indigenous, and people of color and other historically
31 marginalized communities in Washington than for non-Hispanic white
32 households. The legislature finds that the imbalance in supply and

1 demand in Washington's housing market has only exacerbated these
2 inequities.

3 (d) These negative impacts extend beyond homeownership and affect
4 wealth generation, housing security, and other outcomes for black,
5 indigenous, and people of color and other historically marginalized
6 communities in Washington. The legislature finds that these impacts
7 include higher rates of homelessness, rent burdening, substandard or
8 otherwise unhealthy or unsafe housing, and predatory and
9 discriminatory lending practices that lead to further displacement
10 and gentrification.

11 (e) Existing state and federal programs and other race-neutral
12 approaches are insufficient to remedy that discrimination and its
13 impacts on access to credit and homeownership for black, indigenous,
14 and people of color and other historically marginalized communities
15 in Washington. The legislature finds that race-conscious programs,
16 such as the special purpose credit programs authorized by section 6
17 of this act, are necessary to remedy the past discrimination in which
18 the state was complicit and to remove the structural barriers that
19 persist.

20 (2) The legislature declares that the state has a compelling
21 interest in remedying past and ongoing discrimination and its impacts
22 on access to credit and homeownership for black, indigenous, and
23 people of color and other historically marginalized communities in
24 Washington.

25 NEW SECTION. **Sec. 2.** A new section is added to chapter 36.22
26 RCW to read as follows:

27 (1) Beginning January 1, 2024, except as provided in subsection
28 (2) of this section, the county auditor must collect a covenant
29 homeownership program assessment of \$100 for each document recorded,
30 which is in addition to any other charge, surcharge, or assessment
31 allowed by law. The county auditor may retain up to one percent of
32 the moneys for collection of the assessment and must remit the
33 remainder of the moneys to the state treasurer to be deposited in the
34 covenant homeownership account created in section 4 of this act.

35 (2) The assessment imposed in this section does not apply to: (a)
36 Assignments or substitutions of previously recorded deeds of trust;
37 (b) documents recording a birth, marriage, divorce, or death; (c) any
38 recorded documents otherwise exempted from a recording fee or
39 additional assessments under state law; (d) marriage licenses issued

1 by the county auditor; (e) documents recording a name change order
2 under RCW 4.24.130; or (f) documents recording a federal, state,
3 county, city, or water-sewer district, or wage lien or satisfaction
4 of lien.

5 NEW SECTION. **Sec. 3.** The definitions in this section apply
6 throughout this chapter unless the context clearly requires
7 otherwise.

8 (1) "Department" means the department of commerce, except as
9 otherwise indicated in section 7 of act.

10 (2) "Commission" means the Washington state housing finance
11 commission.

12 (3) "Covenant homeownership program study" means an evidence-
13 based written report prepared by or on behalf of the commission as
14 required in section 5 of this act.

15 (4) "First-time home buyer" means:

16 (a) An individual or the individual's spouse who has had no
17 ownership in a principal residence during the three-year period
18 ending on the date of purchase of the property;

19 (b) A single parent who has only owned a home with a former
20 spouse while married;

21 (c) An individual who is a displaced homemaker as defined in 24
22 C.F.R. Sec. 93.2 as it exists on the effective date of this section,
23 or such subsequent date as may be provided by the department by rule,
24 consistent with the purposes of this section, and has only owned a
25 home with a spouse;

26 (d) An individual who has only owned a principal residence not
27 permanently affixed to a permanent foundation in accordance with
28 applicable regulations; or

29 (e) An individual who has only owned a property that is
30 determined by a licensed building inspector as being uninhabitable.

31 (5) "Oversight committee" means the covenant homeownership
32 program oversight committee established in section 7 of this act.

33 (6) "Program" means the covenant homeownership program described
34 in section 6 of this act.

35 (7) "Program participant" means a person who receives down
36 payment and closing cost assistance through a special purpose credit
37 program created by the commission for purposes of the covenant
38 homeownership program.

1 (8) "Racially restrictive real estate covenant" means a recorded
2 covenant or deed restriction that includes or included racial
3 restrictions on property ownership or use against protected classes
4 that are unlawful under RCW 49.60.224. For example, these unlawful
5 restrictions commonly included exclusions against black, indigenous,
6 and people of color and other historically marginalized communities
7 in Washington state, using terms, many of which are offensive, such
8 as "African blood" meaning all sub-Saharan African ancestries;
9 "Aryan" meaning not Jewish, not eastern or southern European, nor any
10 ancestry except northern European; "Asiatic" meaning all Asian
11 ancestries; Chinese; "colored person" meaning all sub-Saharan African
12 ancestries; "colored races" meaning all nonwhite races; "Ethiopian"
13 meaning all sub-Saharan African ancestries; "gentile" meaning non-
14 Jewish; Hawaiian; "Hebrew" meaning Jewish; "Hindu" meaning all South
15 Asian ancestries; "Indian" meaning Native Americans and also possibly
16 South Asian ancestries; Japanese; "Malay" meaning Filipino;
17 "Mongolian" meaning all East Asian ancestries; "Negro blood" meaning
18 all sub-Saharan African ancestries; "oriental" meaning all Asian
19 ancestries; "Turkish empire" meaning all middle easterners; and
20 "yellow races" meaning all Asian ancestries.

21 (9) "Special purpose credit program" means a credit assistance
22 program created by the commission as authorized by the federal
23 consumer financial protection bureau under regulation B, 12 C.F.R.
24 1002.8(a)(1), pursuant to Title VII of the consumer credit protection
25 act (the equal credit opportunity act, 15 U.S.C. Sec. 1691 et seq.)
26 as amended, allowing a creditor to extend special purpose credit to
27 applicants who meet eligibility requirements under a credit
28 assistance program expressly authorized by state law for the benefit
29 of an economically disadvantaged class of persons.

30 NEW SECTION. **Sec. 4.** The covenant homeownership account is
31 created in the state treasury. All receipts from the assessment
32 established in section 2 of this act must be deposited into the
33 account. Moneys in the account may be spent only after appropriation.
34 Expenditures from the account may be made only for the purposes of
35 the program described in section 6 of this act. The legislature may
36 appropriate moneys in the account as follows:

37 (1) The legislature may appropriate up to one percent of moneys
38 in the account to the department for costs related to the program
39 described in section 6 of this act including, but not limited to,

1 costs related to administering one or more contracts with the
2 commission for purposes of the program, costs related to outreach and
3 stakeholder engagement, costs related to reimbursing the department
4 of financial institutions for its costs related to the oversight
5 committee created in section 7 of this act, and other administrative,
6 data collection, and reporting costs; and

7 (2) The legislature may appropriate the remainder of the moneys
8 in the account to the department to contract with the commission for
9 the purposes of the program described in section 6 of this act.

10 NEW SECTION. **Sec. 5.** (1)(a) The commission shall complete, or
11 cause to be completed, an initial covenant homeownership program
12 study. The initial covenant homeownership program study must:

13 (i) Document past and ongoing discrimination against black,
14 indigenous, and people of color and other historically marginalized
15 communities in Washington state and the impacts of this
16 discrimination on homeownership in the state, including access to
17 credit and other barriers to homeownership in the state;

18 (ii) Analyze whether and to what extent existing programs and
19 race-neutral approaches have been insufficient to remedy this
20 discrimination and its impacts;

21 (iii)(A) Recommend and evaluate potential programmatic and policy
22 changes, including creation of one or more special purpose credit
23 programs, to remedy this discrimination and its impacts;

24 (B) As part of the recommendations related to creation of one or
25 more special purpose credit programs, identify through evidence-based
26 documentation the economically disadvantaged class or classes of
27 persons that require down payment and closing cost assistance in
28 order to reduce racial disparities in homeownership in the state. The
29 class or classes of persons identified in the study may share one or
30 more common characteristics such as, race, national origin, or sex;
31 and

32 (iv) Identify methodology to evaluate the efficacy of any
33 recommended programmatic and policy changes over time.

34 (b) By March 1, 2024, and in compliance with RCW 43.01.036, the
35 commission shall submit a copy of the initial covenant homeownership
36 program study to the appropriate committees of the legislature and
37 post a copy of the study to the commission's website.

38 (2)(a) At least every five years after the initial covenant
39 homeownership program study is completed, the commission shall

1 complete, or cause to be completed, an updated covenant homeownership
2 program study. The updated covenant homeownership program study must:

3 (i) Update and reevaluate the findings and recommendations
4 contained in the initial covenant homeownership program study and any
5 subsequent program studies;

6 (ii) Document the experience of program participants and others
7 impacted by past and ongoing discrimination, including their
8 experience accessing or attempting to access credit and any barriers
9 to homeownership in the state that they have faced or continue to
10 face;

11 (iii) Evaluate the special purpose credit program or programs'
12 efficacy in providing down payment and closing cost assistance to the
13 economically disadvantaged class or classes of persons identified in
14 the initial covenant homeownership program study and any subsequent
15 program studies, and the special purpose credit program or programs'
16 impacts on remedying discrimination and reducing racial disparities
17 in homeownership in the state; and

18 (iv) Recommend program modifications and improvements.

19 (b) By December 31, 2028, and by December 31st every five years
20 thereafter, and in compliance with RCW 43.01.036, the commission
21 shall submit a copy of an updated covenant homeownership program
22 study to the appropriate committees of the legislature and post a
23 copy of the study to the commission's website.

24 (c) The board of the commission shall review each subsequent
25 covenant homeownership program study and consider the evidence-based
26 documentation and recommendations in designing and implementing
27 program amendments.

28 NEW SECTION. **Sec. 6.** (1) As part of the covenant homeownership
29 program, the department shall contract with the commission to design,
30 develop, implement, and evaluate one or more special purpose credit
31 programs to reduce racial disparities in homeownership in the state
32 by providing down payment and closing cost assistance. The contract
33 must authorize the commission to use the contract funding as follows:

34 (a) The contract must authorize the commission to use up to one
35 percent of the contract funding for costs related to administering
36 the program including, but not limited to, costs related to
37 completing a covenant homeownership program study required under
38 section 5 of this act, and other administrative, data collection, and
39 reporting costs;

1 (b) The contract must authorize the commission to use up to one
2 percent of the contract funding to provide targeted education,
3 homeownership counseling, and outreach about special purpose credit
4 programs created under this section to black, indigenous, and people
5 of color and other historically marginalized communities in
6 Washington state, including outreach to relevant affinity groups for
7 mortgage lenders; and

8 (c) The contract must authorize the commission to use the
9 remainder of the contract funding to provide down payment and closing
10 cost assistance to program participants. This portion of the contract
11 funding may not be used to provide any type of assistance other than
12 down payment and closing cost assistance.

13 (2) The commission shall create one or more special purpose
14 credit programs to provide down payment and closing cost assistance
15 for the benefit of one or more economically disadvantaged classes of
16 persons identified in a covenant homeownership program study under
17 section 5 of this act. In creating a special purpose credit program,
18 the commission must consider the evidence-based documentation and
19 programmatic and policy recommendations set forth in the initial
20 covenant homeownership program study and any subsequent program
21 studies. If the covenant homeownership program study identifies an
22 economically disadvantaged class or classes of persons that share one
23 or more common characteristics such as, race, national origin, or sex
24 and the board of the commission finds it necessary to consider this
25 information in tailoring a special purpose credit program to provide
26 credit assistance to economically disadvantaged classes of persons,
27 the commission may consider these characteristics in designing and
28 implementing the program.

29 (3) At minimum, a special purpose credit program authorized under
30 this section must:

31 (a) Provide loans for down payment and closing cost assistance to
32 program participants that can be combined with other forms of down
33 payment and closing cost assistance;

34 (b) Require a program participant to repay loans for down payment
35 and closing cost assistance at the time that the house is sold; and

36 (c) Be implemented in conjunction with the commission's housing
37 finance programs.

38 (4) To be eligible to receive down payment and closing cost
39 assistance through a special purpose credit program authorized under
40 this section, a special purpose credit program applicant must:

1 (a) Have a household income at or below 100 percent of the area
2 median income;

3 (b) Be a first-time home buyer; and

4 (c) (i) Be a Washington state resident who:

5 (A) Was a Washington state resident on or before the enactment of
6 the federal fair housing act (Title VIII of the civil rights act of
7 1968; P.L. 90-284; 82 Stat. 73) on April 11, 1968, and was or would
8 have been excluded from homeownership in Washington state by a
9 racially restrictive real estate covenant on or before April 11,
10 1968; or

11 (B) Is a descendant of a person who meets the criteria in
12 (c) (i) (A) of this subsection;

13 (ii) Records that show a person's address on or about a specific
14 date or include a reference indicating that a person is a resident of
15 a specific city or area on or about a specific date may be used to
16 provide proof that a person satisfies the criteria in (c) (i) of this
17 subsection, such as genealogical records, vital records, church
18 records, military records, probate records, public records, census
19 data, newspaper clippings, and other similar documents.

20 (5) The commission may adopt rules, and shall adopt program
21 policies, as necessary to implement this section. Program rules or
22 policies must include procedures and standards for extending credit
23 under the special purpose credit program, including program
24 eligibility requirements. From time to time, including in response to
25 a covenant homeownership program study's evaluation of program
26 efficacy, the board of the commission may amend the special purpose
27 credit programs, rules, and policies.

28 (6) By July 1, 2024, one or more of the special purpose credit
29 programs must begin providing down payment and closing cost
30 assistance to program participants.

31 (7) By December 31, 2025, and by each following December 31st,
32 and in compliance with RCW 43.01.036, the commission shall submit an
33 annual report to the appropriate committees of the legislature on the
34 progress of the special purpose credit program or programs developed
35 under this section. The report shall include, at minimum, the program
36 eligibility requirements, the type and amount of down payment and
37 closing cost assistance provided to program participants, the number
38 of program participants and their corresponding eligibility
39 categories, the location of property financed, and program outreach
40 efforts. The report must be posted on the commission's website.

1 NEW SECTION. **Sec. 7.** (1) The department of financial
2 institutions shall establish the covenant homeownership program
3 oversight committee consisting of the following members appointed by
4 the governor, except for the legislative members who must be
5 appointed by the president of the senate or the speaker of the house
6 of representatives as described in this section:

7 (a) One person who meets the eligibility criteria for the special
8 purpose credit program described in section 6(4) of this act and is
9 from east of the crest of the Cascade mountains;

10 (b) One person who meets the eligibility criteria for the special
11 purpose credit program described in section 6(4) of this act and is
12 from west of the crest of the Cascade mountains;

13 (c) One representative of an organization that operates a special
14 purpose credit program, counseling service, or debt relief program
15 that serves persons who were commonly subject to unlawful exclusions
16 contained in racially restrictive real estate covenants as defined in
17 section 3 of this act;

18 (d) One representative of a community-based organization that
19 specializes in the development of permanently affordable housing that
20 serves persons who were commonly subject to unlawful exclusions
21 contained in racially restrictive real estate covenants;

22 (e) One representative of the real estate sales profession;

23 (f) One representative of the home mortgage lending profession
24 who has a minimum of five years' lending or underwriting experience;

25 (g) One representative of the nonprofit affordable housing
26 development industry;

27 (h) Two senators, one from each of the two largest caucuses,
28 appointed by the president of the senate; and

29 (i) Two members of the house of representatives, one from each of
30 the two largest caucuses, appointed by the speaker of the house of
31 representatives.

32 (2) (a) Nonlegislative members shall each serve a three-year term,
33 subject to renewal for no more than one additional three-year term.
34 The oversight committee shall develop rules that provide for the
35 staggering of terms so that, after the first two years of the
36 committee's existence, the terms of one-third of the nonlegislative
37 members expire each year.

38 (b) Legislative members shall each serve a two-year term, subject
39 to renewal for no more than one additional two-year term.

1 (c) On the expiration of the term of each member, the governor,
2 president of the senate, or the speaker of the house of
3 representatives, as authorized under subsection (1) of this section,
4 shall appoint a successor to serve for a term of two years if the
5 successor is a legislative member, or three years if the successor is
6 a nonlegislative member.

7 (d) The governor may remove a nonlegislative member of the
8 oversight committee for cause. The president of the senate may remove
9 a senator serving as a legislative member of the oversight committee
10 for cause, and the speaker of the house of representatives may remove
11 a member of the house of representatives serving as a legislative
12 member of the oversight committee for cause.

13 (e) Vacancies on the oversight committee for any reason must be
14 filled by appointment as authorized under subsection (1) of this
15 section for the duration of the unexpired term.

16 (3) The oversight committee:

17 (a) Shall oversee and review the commission's activities and
18 performance related to the program, including the commission's
19 creation and administration of one or more special purpose credit
20 programs authorized in section 6 of this act;

21 (b) Shall work with the department of financial institutions to
22 convene meetings, create a charter and operating procedures, and to
23 coordinate the oversight committee's ongoing activities;

24 (c) Shall convene the initial meeting of the oversight committee
25 and select a chair by October 1, 2023;

26 (d) Shall work with the department of financial institutions to
27 convene a meeting at least once a quarter and may hold additional
28 meetings at the call of the chair or by a majority vote of the
29 members of the committee;

30 (e) May conduct its meetings by conference telephone call,
31 videoconference, or using similar technology that enables all persons
32 participating in the meeting to hear each other at the same time; and

33 (f) May, from time to time, make recommendations to the
34 appropriate committees of the legislature regarding the program.

35 (4)(a) The oversight committee is a class one group under RCW
36 43.03.220. Except as provided in (b) of this subsection, members of
37 the committee receive no compensation for their services as members
38 of the committee but may be reimbursed for travel and other expenses
39 in accordance with rules adopted by the office of financial
40 management.

1 (b) As authorized by RCW 43.03.220, the department of financial
2 institutions may provide a stipend to individuals who are low income
3 or have lived experience to support their participation on the
4 oversight committee.

5 (5) (a) The department of commerce and the commission shall work
6 together to supply the oversight committee and the department of
7 financial institutions with any information requested by the
8 oversight committee or the department of financial institutions that
9 the oversight committee or the department of financial institutions
10 deems necessary for the committee to carry out its duties under this
11 section. This information may include, but is not limited to, books,
12 accounts, records, policies, procedures, files, and information from
13 relevant third parties.

14 (b) Any information shared among the oversight committee, the
15 department of financial institutions, the department of commerce, and
16 the commission that is confidential and exempt from public disclosure
17 under RCW 42.56.270 shall remain confidential when received by the
18 receiving party.

19 (6) The department of commerce and the commission must report to
20 the oversight committee on a quarterly basis. The report must address
21 the results of targeted education, homeownership counseling, and
22 outreach efforts by the department of commerce as authorized under
23 this chapter, and the results of any special purpose credit program
24 formed by the commission under this chapter, and down payment and
25 closing cost assistance to program participants.

26 (7) (a) The department of financial institutions shall:

27 (i) Provide subject matter expertise, administrative assistance,
28 and staff support to the oversight committee; and

29 (ii) Work in coordination with the department of commerce and the
30 commission to conduct outreach and financial education to the
31 communities served by this chapter, in accordance with RCW
32 43.320.150.

33 (b) The department of financial institutions may:

34 (i) Have one or more staff present at oversight committee
35 meetings;

36 (ii) Employ staff necessary to carry out the purposes of this
37 section; and

38 (iii) Hire outside experts and other professionals it deems
39 necessary to carry out its duties under this section.

1 (8) The department of commerce shall reimburse the department of
2 financial institutions for costs related to the oversight committee
3 from the moneys that the legislature appropriates to the department
4 of commerce for this purpose from the covenant homeownership account
5 under section 4(1) of this act.

6 **Sec. 8.** RCW 36.18.010 and 2022 c 141 s 2 are each amended to
7 read as follows:

8 Except as otherwise ordered by the court pursuant to RCW
9 4.24.130, county auditors or recording officers shall collect the
10 following fees for their official services:

11 (1) For recording instruments, for the first page eight and one-
12 half by (~~fourteen~~) 14 inches or less, (~~five dollars~~) \$5; for each
13 additional page eight and one-half by (~~fourteen~~) 14 inches or less,
14 (~~one dollar~~) \$1. The fee for recording multiple transactions
15 contained in one instrument will be calculated for each transaction
16 requiring separate indexing as required under RCW 65.04.050 as
17 follows: The fee for each title or transaction is the same fee as the
18 first page of any additional recorded document; the fee for
19 additional pages is the same fee as for any additional pages for any
20 recorded document; the fee for the additional pages may be collected
21 only once and may not be collected for each title or transaction;

22 (2) For preparing and certifying copies, for the first page eight
23 and one-half by (~~fourteen~~) 14 inches or less, (~~three dollars~~) \$3;
24 for each additional page eight and one-half by (~~fourteen~~) 14 inches
25 or less, (~~one dollar~~) \$1;

26 (3) For preparing noncertified copies, for each page eight and
27 one-half by (~~fourteen~~) 14 inches or less, (~~one dollar~~) \$1;

28 (4) For administering an oath or taking an affidavit, with or
29 without seal, (~~two dollars~~) \$2;

30 (5) For issuing a marriage license, (~~eight dollars~~) \$8, (this
31 fee includes taking necessary affidavits, filing returns, indexing,
32 and transmittal of a record of the marriage to the state registrar of
33 vital statistics) plus an additional (~~five dollar~~) \$5 fee for use
34 and support of the prevention of child abuse and neglect activities
35 to be transmitted monthly to the state treasurer and deposited in the
36 state general fund plus an additional (~~ten dollar~~) \$10 fee to be
37 transmitted monthly to the state treasurer and deposited in the state
38 general fund. The legislature intends to appropriate an amount at

1 least equal to the revenue generated by this fee for the purposes of
2 the displaced homemaker act, chapter 28B.04 RCW;

3 (6) For searching records per hour, (~~eight dollars~~) \$8;

4 (7) For recording plats, (~~fifty~~) 50 cents for each lot except
5 cemetery plats for which the charge shall be (~~twenty-five~~) 25 cents
6 per lot; also (~~one dollar~~) \$1 for each acknowledgment, dedication,
7 and description: PROVIDED, That there shall be a minimum fee of
8 (~~twenty-five dollars~~) \$25 per plat;

9 (8) For recording of miscellaneous records not listed above, for
10 the first page eight and one-half by (~~fourteen~~) 14 inches or less,
11 (~~five dollars~~) \$5; for each additional page eight and one-half by
12 (~~fourteen~~) 14 inches or less, (~~one dollar~~) \$1;

13 (9) For modernization and improvement of the recording and
14 indexing system, a surcharge as provided in RCW 36.22.170;

15 (10) For recording an emergency nonstandard document as provided
16 in RCW 65.04.047, (~~fifty dollars~~) \$50, in addition to all other
17 applicable recording fees;

18 (11) For recording instruments, a (~~three dollar~~) \$3 surcharge
19 to be deposited into the Washington state library operations account
20 created in RCW 43.07.129;

21 (12) For recording instruments, a (~~two dollar~~) \$2 surcharge to
22 be deposited into the Washington state library-archives building
23 account created in RCW 43.07.410 until the financing contract entered
24 into by the secretary of state for the Washington state library-
25 archives building is paid in full;

26 (13) For recording instruments, a surcharge as provided in RCW
27 36.22.178; (~~and~~)

28 (14) For recording instruments, except for documents recording a
29 birth, marriage, divorce, or death or any documents otherwise
30 exempted from a recording fee under state law, a surcharge as
31 provided in RCW 36.22.179; and

32 (15) For recording instruments, except for documents exempt under
33 section 2(2) of this act, an assessment as provided in section 2 of
34 this act.

35 **Sec. 9.** RCW 43.84.092 and 2022 c 182 s 403 are each amended to
36 read as follows:

37 (1) All earnings of investments of surplus balances in the state
38 treasury shall be deposited to the treasury income account, which
39 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 ambulance transport fund,
35 the brownfield redevelopment trust fund account, the budget
36 stabilization account, the capital vessel replacement account, the
37 capitol building construction account, the Central Washington
38 University capital projects account, the charitable, educational,
39 penal and reformatory institutions account, the Chehalis basin
40 account, the Chehalis basin taxable account, the cleanup settlement

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

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

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

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

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

28 **Sec. 10.** RCW 43.84.092 and 2022 c 182 s 404 are each amended to
29 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 brownfield redevelopment
28 trust fund account, the budget stabilization account, the capital
29 vessel replacement account, the capitol building construction
30 account, the Central Washington University capital projects account,
31 the charitable, educational, penal and reformatory institutions
32 account, the Chehalis basin account, the Chehalis basin taxable
33 account, the cleanup settlement account, the climate active
34 transportation account, the climate transit programs account, the
35 Columbia river basin water supply development account, the Columbia
36 river basin taxable bond water supply development account, the
37 Columbia river basin water supply revenue recovery account, the
38 common school construction fund, the community forest trust account,
39 the connecting Washington account, the county arterial preservation
40 account, the county criminal justice assistance account, the covenant

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

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

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

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

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

20 **Sec. 11.** RCW 42.56.270 and 2022 c 201 s 2 and 2022 c 16 s 28 are
21 each reenacted and amended to read as follows:

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

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

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

35 (3) Financial and commercial information and records supplied by
36 private persons pertaining to export services provided under chapters
37 43.163 and 53.31 RCW, and by persons pertaining to export projects
38 under RCW 43.23.035;

1 (4) Financial and commercial information and records supplied by
2 businesses or individuals during application for loans or program
3 services provided by chapters 43.325, 43.163, 43.160, 43.330, (~~and~~)
4 43.168, and 43.--- (the new chapter created in section 13 of this
5 act) RCW and RCW 43.155.160, or during application for economic
6 development loans or program services provided by any local agency;

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

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

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

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

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

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

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

36 (c) Valuable formulae or financial or proprietary commercial
37 information records received during a consultative visit or while
38 providing consultative services to a licensed cannabis business in
39 accordance with RCW 69.50.561;

1 (11) Proprietary data, trade secrets, or other information that
2 relates to: (a) A vendor's unique methods of conducting business; (b)
3 data unique to the product or services of the vendor; or (c)
4 determining prices or rates to be charged for services, submitted by
5 any vendor to the department of social and health services or the
6 health care authority for purposes of the development, acquisition,
7 or implementation of state purchased health care as defined in RCW
8 41.05.011;

9 (12)(a) When supplied to and in the records of the department of
10 commerce:

11 (i) Financial and proprietary information collected from any
12 person and provided to the department of commerce pursuant to RCW
13 43.330.050(8);

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

21 (iii) Financial or proprietary information collected from any
22 person and provided to the department of commerce pursuant to RCW
23 43.31.625 (3)(b) and (4);

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

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

29 (d) If there is no written contact for a period of (~~sixty~~) 60
30 days to the department of commerce from a person connected with
31 siting, recruitment, expansion, retention, or relocation of that
32 person's business, information described in (a)(ii) of this
33 subsection will be available to the public under this chapter;

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

37 (14) Financial, commercial, operations, and technical and
38 research information and data submitted to or obtained by the life
39 sciences discovery fund authority in applications for, or delivery
40 of, grants under RCW 43.330.502, to the extent that such information,

1 if revealed, would reasonably be expected to result in private loss
2 to the providers of this information;

3 (15) Financial and commercial information provided as evidence to
4 the department of licensing as required by RCW 19.112.110 or
5 19.112.120, except information disclosed in aggregate form that does
6 not permit the identification of information related to individual
7 fuel licensees;

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

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

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

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

24 (19) Information gathered under chapter 19.85 RCW or RCW
25 34.05.328 that can be identified to a particular business;

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

34 (21) Market share data submitted by a manufacturer under RCW
35 70A.500.190(4);

36 (22) Financial information supplied to the department of
37 financial institutions, when filed by or on behalf of an issuer of
38 securities for the purpose of obtaining the exemption from state
39 securities registration for small securities offerings provided under

1 RCW 21.20.880 or when filed by or on behalf of an investor for the
2 purpose of purchasing such securities;

3 (23) Unaggregated or individual notices of a transfer of crude
4 oil that is financial, proprietary, or commercial information,
5 submitted to the department of ecology pursuant to RCW
6 90.56.565(1)(a), and that is in the possession of the department of
7 ecology or any entity with which the department of ecology has shared
8 the notice pursuant to RCW 90.56.565;

9 (24) Financial institution and retirement account information,
10 and building security plan information, supplied to the liquor and
11 cannabis board pursuant to RCW 69.50.325, 69.50.331, 69.50.342, and
12 69.50.345, when filed by or on behalf of a licensee or prospective
13 licensee for the purpose of obtaining, maintaining, or renewing a
14 license to produce, process, transport, or sell cannabis as allowed
15 under chapter 69.50 RCW;

16 (25) Cannabis transport information, vehicle and driver
17 identification data, and account numbers or unique access identifiers
18 issued to private entities for traceability system access, submitted
19 by an individual or business to the liquor and cannabis board under
20 the requirements of RCW 69.50.325, 69.50.331, 69.50.342, and
21 69.50.345 for the purpose of cannabis product traceability.
22 Disclosure to local, state, and federal officials is not considered
23 public disclosure for purposes of this section;

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

35 (27) Proprietary financial, commercial, operations, and technical
36 and research information and data submitted to or obtained by the
37 liquor and cannabis board in applications for cannabis research
38 licenses under RCW 69.50.372, or in reports submitted by cannabis
39 research licensees in accordance with rules adopted by the liquor and
40 cannabis board under RCW 69.50.372;

1 (28) Trade secrets, technology, proprietary information, and
2 financial considerations contained in any agreements or contracts,
3 entered into by a licensed cannabis business under RCW 69.50.395,
4 which may be submitted to or obtained by the state liquor and
5 cannabis board;

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

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

14 (31) Records filed with the department of ecology under chapter
15 70A.515 RCW that a court has determined are confidential valuable
16 commercial information under RCW 70A.515.130; and

17 (32) Unaggregated financial, proprietary, or commercial
18 information submitted to or obtained by the liquor and cannabis board
19 in applications for licenses under RCW 66.24.140 or 66.24.145, or in
20 any reports or remittances submitted by a person licensed under RCW
21 66.24.140 or 66.24.145 under rules adopted by the liquor and cannabis
22 board under chapter 66.08 RCW.

23 NEW SECTION. **Sec. 12.** This act may be known and cited as the
24 covenant homeownership account and program act.

25 NEW SECTION. **Sec. 13.** Sections 1 and 3 through 7 of this act
26 constitute a new chapter in Title 43 RCW.

27 NEW SECTION. **Sec. 14.** If any part of this act is found to be in
28 conflict with federal requirements that are a prescribed condition to
29 the allocation of federal funds to the state, the conflicting part of
30 this act is inoperative solely to the extent of the conflict and with
31 respect to the agencies directly affected, and this finding does not
32 affect the operation of the remainder of this act in its application
33 to the agencies concerned. Rules adopted under this act must meet
34 federal requirements that are a necessary condition to the receipt of
35 federal funds by the state.

1 NEW SECTION. **Sec. 15.** (1) If any provision of this act or its
2 application to any person or circumstance is held invalid, the
3 remainder of the act or the application of the provision to other
4 persons or circumstances is not affected.

5 (2) In addition, if the covenant homeownership program described
6 in section 6 of this act is held invalid, in whole or in part, the
7 legislature may appropriate moneys in the covenant homeownership
8 account to the department of commerce to contract with the Washington
9 state housing finance commission for one or more other programs that
10 support homeownership for first-time home buyers.

11 NEW SECTION. **Sec. 16.** Section 9 of this act expires July 1,
12 2024.

13 NEW SECTION. **Sec. 17.** Section 10 of this act takes effect July
14 1, 2024."

2SHB 1474 - S COMM AMD
By Committee on Housing

ADOPTED 04/07/2023

15 On page 1, line 3 of the title, after "state;" strike the
16 remainder of the title and insert "amending RCW 36.18.010, 43.84.092,
17 and 43.84.092; reenacting and amending RCW 42.56.270; adding a new
18 section to chapter 36.22 RCW; adding a new chapter to Title 43 RCW;
19 creating new sections; providing an effective date; and providing an
20 expiration date."

EFFECT: Establishes a two-year term length for legislative
members serving on the oversight committee.

--- END ---