

**2SHB 1474** - S COMM AMD  
By Committee on Ways & Means

**NOT 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 \$50 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 Ways & Means

**NOT 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. Changes the homeownership  
program assessment documentation recording fee to \$50.

--- END ---