

SB 5241 - S AMD TO S AMD (S-4880.1/24) **612**
By Senator Boehnke

NOT ADOPTED 02/08/2024

1 On page 22, beginning on line 6, strike all of subsections (2)
2 and (3) and insert the following:

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

8 (b) For material change transactions subject to comprehensive
9 review, for at least six years, the attorney general shall monitor
10 the parties' and any successor persons' ongoing compliance with this
11 chapter.

12 (3)(a) For material change transactions limited to the
13 preliminary review under section 10 of this act or reviewed under the
14 emergency review process pursuant to RCW 19.390.040(4), the attorney
15 general shall, for three years, require annual reports from the
16 parties to the material change transaction or any successor persons
17 to ensure compliance with section 9 of this act and any conditions or
18 modifications the attorney general imposed on the material change
19 transaction. The attorney general may request information and
20 documents and conduct on-site compliance audits.

21 (b) For material change transactions subject to comprehensive
22 review, the attorney general shall, for six years, require annual
23 reports from the parties to the material change transaction or any
24 successor persons to ensure compliance with section 9 of this act and
25 any conditions or modifications the attorney general imposed on the
26 material change transaction. The attorney general may request
27 information and documents and conduct on-site compliance audits."

28 On page 23, beginning on line 6, strike all of subsection (9) and
29 insert the following:

30 "(9) The attorney general may bill the parties or successor
31 persons and the parties or successor billed by the attorney general
32 shall promptly pay. If the parties or successor fail to pay within 60

1 days, the attorney general may assess a civil fine of a rate of one
2 percent of the delinquent amount per month the party does not pay."

EFFECT: Clarifies and shortens the length of the review period for material change transactions. For transactions subject to preliminary and emergency review, provide three years of oversight. For transactions subject to comprehensive review, provide 6 years of oversight.

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