

**SB 5241** - S AMD TO S AMD (S-4880.1/24) **601**  
By Senator Rivers

**NOT ADOPTED 02/08/2024**

1 Beginning on page 11, line 34, strike all of subsection (4) and  
2 insert the following:

3 "(4) (a) The attorney general, for good cause shown, may provide  
4 emergency review for a material change transaction if the attorney  
5 general finds that:

6 (i) There is an emergency situation including, but not limited  
7 to, a public health emergency which immediately threatens health care  
8 services; or

9 (ii) The material change transaction is urgently needed to  
10 protect the interest of consumers and to preserve the solvency of an  
11 entity.

12 (b) (i) In providing emergency review due to an emergency  
13 circumstance, the attorney general may limit the information  
14 otherwise required by subsection (3) of this section for the sole  
15 purpose of expediting the review process, however, the attorney  
16 general shall post public information on the attorney general's  
17 website and the parties shall provide notice as follows:

18 (A) Through publication in a newspaper of general circulation in  
19 the communities that will be impacted by the material change  
20 transaction;

21 (B) At the public entrance and on the bulletin board designated  
22 for legal or public notices of the entity that is the subject of the  
23 material change transaction;

24 (C) Prominently on the website available to the public of any  
25 entity that is the subject of the material change transaction; and

26 (D) On the website available to the employees of any entity that  
27 is the subject of the material change transaction.

28 (ii) The notices must be provided in English and in the languages  
29 spoken by at least 10 percent of the population of the county or  
30 counties in which the entities that are the subject of the material  
31 change transaction are located.

1 (c) An applicant for emergency review shall provide the attorney  
2 general the following information which shall be subject RCW  
3 19.390.070 regarding the availability of records:

4 (i) A detailed explanation of the grounds for the application,  
5 including a complete statement of the facts, circumstances, and  
6 conditions which justify emergency exemption as well as the  
7 conditions necessitating immediate relief;

8 (ii) A detailed explanation of all the terms, conditions, and  
9 agreements that comprise the material change transaction and the  
10 manner in which such terms, conditions, and agreements will respond  
11 to the conditions necessitating emergency consideration of the  
12 exemption application;

13 (iii) A detailed explanation of why time is of the essence and an  
14 emergency review is required and the reasons why the material change  
15 transaction is in the public interest and in the interest of those  
16 consumers and markets that are or will be served by the parties  
17 following closing of the material change transaction;

18 (iv) Such additional information, documents, and analysis as the  
19 attorney general may require in order to evaluate the application and  
20 the asserted grounds for emergency review; and

21 (v) An undertaking by the parties to make such further filings  
22 with, and submit such further information to and to cooperate with  
23 and assist the attorney general, as applicable, in conducting such  
24 further investigations, hearings, and examinations, as may be  
25 required following the allowance of emergency review for the material  
26 change transaction.

27 (d) If the attorney general determines an emergency review is not  
28 warranted, the material change transaction shall be subject to  
29 preliminary or comprehensive review and oversight required under this  
30 chapter.

31 (e) If the attorney general approves a material change  
32 transaction pursuant to this section, the transaction remains subject  
33 to oversight required by this chapter."

EFFECT: Establishes an emergency review process for unique circumstances where a streamlined process is necessary to address emergency situations or protect consumers and preserve the solvency of an entity.

Requires public notice to be provided.

--- **END** ---