
ENGROSSED SENATE BILL 5746

State of Washington 69th Legislature 2025 Regular Session

By Senators J. Wilson, Christian, Chapman, Nobles, and Salomon

Read first time 02/13/25. Referred to Committee on Transportation.

1 AN ACT Relating to creating an advisory committee on electric
2 vehicle charger infrastructure property crime; amending RCW
3 42.56.270; creating a new section; and providing an expiration date.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** (1) Subject to the availability of amounts
6 appropriated in the omnibus transportation appropriations act for
7 this specific purpose, the interagency electric vehicle coordinating
8 council created under RCW 43.392.030, through its industry electric
9 vehicle advisory committee or another appropriate ad hoc committee,
10 must address electric vehicle charger infrastructure property crime.
11 For purposes of this section, the committee may include the following
12 additional members:

13 (a) One representative of the Washington state attorney general's
14 office;

15 (b) One representative of a law enforcement agency or association
16 whereby electric vehicle charger property crime is impacting the
17 agency's or association's jurisdiction specializing in theft
18 prevention or property crimes;

19 (c) One representative of a recycled materials association or
20 trade organization operating in the state of Washington with
21 experience in nonferrous metals recycling;

1 (d) Two representatives from the electric vehicle services
2 equipment industry whereby both level 2 and level 3 charging
3 providers are included;

4 (e) One representative from a local governmental agency or
5 association representing a city whereby electric vehicle charger
6 property crime is impacting the agency's or association's community;

7 (f) One representative from a power utility whereby electric
8 vehicle charger property crime is impacting the utility's service
9 territory;

10 (g) One representative from a county whereby electric vehicle
11 charger property crime is impacting the county;

12 (h) Two representatives of a neighborhood or community advocacy
13 group from communities heavily impacted by metal theft or illegal
14 recycling activities;

15 (i) One representative with technical expertise in the electric
16 vehicle charging industry;

17 (j) One representative of the workforce performing electric
18 vehicle charger installations;

19 (k) One representative of electric vehicle charging station site
20 hosts;

21 (l) One representative of electric vehicle drivers; and

22 (m) Any other representative deemed necessary by the council,
23 including representatives from organizations or industries with
24 technical expertise or representing communities with lived
25 experience.

26 (2) Based on the advice of the committee, the interagency
27 electric vehicle coordinating council shall:

28 (a) Provide guidance and recommendations on actions to reduce
29 instances of electric vehicle charger property crime in the state of
30 Washington;

31 (b) Be available to respond to Washington legislator questions or
32 requests related to electric vehicle charger property crime;

33 (c) Submit its findings, recommendations, and activities as part
34 of the interagency electric vehicle coordinating council's annual
35 report to the appropriate committees of the legislature.

36 (4) The interagency electric vehicle coordinating council shall
37 ensure the committee meets and reports at council meetings regularly.

38 (5) This section expires July 1, 2027.

1 **Sec. 2.** RCW 42.56.270 and 2023 c 340 s 11 are each amended to
2 read as follows:

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

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

9 (2) Financial information supplied by or on behalf of a person,
10 firm, or corporation for the purpose of qualifying to submit a bid or
11 proposal for (a) a ferry system construction or repair contract as
12 required by RCW 47.60.680 through 47.60.750; (b) highway construction
13 or improvement as required by RCW 47.28.070; or (c) alternative
14 public works contracting procedures as required by RCW 39.10.200
15 through 39.10.905;

16 (3) Financial and commercial information and records supplied by
17 private persons pertaining to export services provided under chapters
18 43.163 and 53.31 RCW, and by persons pertaining to export projects
19 under RCW 43.23.035;

20 (4) Financial and commercial information and records supplied by
21 businesses or individuals during application for loans or program
22 services provided by chapters 43.325, 43.163, 43.160, 43.330, 43.168,
23 and 43.181 RCW and RCW 43.155.160, or during application for economic
24 development loans or program services provided by any local agency;

25 (5) Financial information, business plans, examination reports,
26 and any information produced or obtained in evaluating or examining a
27 business and industrial development corporation organized or seeking
28 certification under chapter 31.24 RCW;

29 (6) Financial and commercial information supplied to the state
30 investment board by any person when the information relates to the
31 investment of public trust or retirement funds and when disclosure
32 would result in loss to such funds or in private loss to the
33 providers of this information;

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

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

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

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

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

16 (c) Valuable formulae or financial or proprietary commercial
17 information records received during a consultative visit or while
18 providing consultative services to a licensed cannabis business in
19 accordance with RCW 69.50.561;

20 (11) Proprietary data, trade secrets, or other information that
21 relates to: (a) A vendor's unique methods of conducting business; (b)
22 data unique to the product or services of the vendor; or (c)
23 determining prices or rates to be charged for services, submitted by
24 any vendor to the department of social and health services or the
25 health care authority for purposes of the development, acquisition,
26 or implementation of state purchased health care as defined in RCW
27 41.05.011;

28 (12)(a) When supplied to and in the records of the department of
29 commerce:

30 (i) Financial and proprietary information collected from any
31 person and provided to the department of commerce pursuant to RCW
32 43.330.050(8);

33 (ii) Financial or proprietary information collected from any
34 person and provided to the department of commerce or the office of
35 the governor in connection with the siting, recruitment, expansion,
36 retention, or relocation of that person's business and until a siting
37 decision is made, identifying information of any person supplying
38 information under this subsection and the locations being considered
39 for siting, relocation, or expansion of a business; (~~and~~)

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

4 (iv) Proprietary information identified by private sector
5 entities and provided to the department of commerce under section 1
6 of this act;

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

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

12 (d) If there is no written contact for a period of 60 days to the
13 department of commerce from a person connected with siting,
14 recruitment, expansion, retention, or relocation of that person's
15 business, information described in (a)(ii) of this subsection will be
16 available to the public under this chapter;

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

20 (14) Financial, commercial, operations, and technical and
21 research information and data submitted to or obtained by the life
22 sciences discovery fund authority in applications for, or delivery
23 of, grants under RCW 43.330.502, to the extent that such information,
24 if revealed, would reasonably be expected to result in private loss
25 to the providers of this information;

26 (15) Financial and commercial information provided as evidence to
27 the department of licensing as required by RCW 19.112.110 or
28 19.112.120, except information disclosed in aggregate form that does
29 not permit the identification of information related to individual
30 fuel licensees;

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

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

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

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

7 (19) Information gathered under chapter 19.85 RCW or RCW
8 34.05.328 that can be identified to a particular business;

9 (20) Financial and commercial information submitted to or
10 obtained by the University of Washington, other than information the
11 university is required to disclose under RCW 28B.20.150, when the
12 information relates to investments in private funds, to the extent
13 that such information, if revealed, would reasonably be expected to
14 result in loss to the University of Washington consolidated endowment
15 fund or to result in private loss to the providers of this
16 information;

17 (21) Market share data submitted by a manufacturer under RCW
18 70A.500.190(4);

19 (22) Financial information supplied to the department of
20 financial institutions, when filed by or on behalf of an issuer of
21 securities for the purpose of obtaining the exemption from state
22 securities registration for small securities offerings provided under
23 RCW 21.20.880 or when filed by or on behalf of an investor for the
24 purpose of purchasing such securities;

25 (23) Unaggregated or individual notices of a transfer of crude
26 oil that is financial, proprietary, or commercial information,
27 submitted to the department of ecology pursuant to RCW
28 90.56.565(1)(a), and that is in the possession of the department of
29 ecology or any entity with which the department of ecology has shared
30 the notice pursuant to RCW 90.56.565;

31 (24) Financial institution and retirement account information,
32 and building security plan information, supplied to the liquor and
33 cannabis board pursuant to RCW 69.50.325, 69.50.331, 69.50.342, and
34 69.50.345, when filed by or on behalf of a licensee or prospective
35 licensee for the purpose of obtaining, maintaining, or renewing a
36 license to produce, process, transport, or sell cannabis as allowed
37 under chapter 69.50 RCW;

38 (25) Cannabis transport information, vehicle and driver
39 identification data, and account numbers or unique access identifiers
40 issued to private entities for traceability system access, submitted

1 by an individual or business to the liquor and cannabis board under
2 the requirements of RCW 69.50.325, 69.50.331, 69.50.342, and
3 69.50.345 for the purpose of cannabis product traceability.
4 Disclosure to local, state, and federal officials is not considered
5 public disclosure for purposes of this section;

6 (26) Financial and commercial information submitted to or
7 obtained by the retirement board of any city that is responsible for
8 the management of an employees' retirement system pursuant to the
9 authority of chapter 35.39 RCW, when the information relates to
10 investments in private funds, to the extent that such information, if
11 revealed, would reasonably be expected to result in loss to the
12 retirement fund or to result in private loss to the providers of this
13 information except that (a) the names and commitment amounts of the
14 private funds in which retirement funds are invested and (b) the
15 aggregate quarterly performance results for a retirement fund's
16 portfolio of investments in such funds are subject to disclosure;

17 (27) Proprietary financial, commercial, operations, and technical
18 and research information and data submitted to or obtained by the
19 liquor and cannabis board in applications for cannabis research
20 licenses under RCW 69.50.372, or in reports submitted by cannabis
21 research licensees in accordance with rules adopted by the liquor and
22 cannabis board under RCW 69.50.372;

23 (28) Trade secrets, technology, proprietary information, and
24 financial considerations contained in any agreements or contracts,
25 entered into by a licensed cannabis business under RCW 69.50.395,
26 which may be submitted to or obtained by the state liquor and
27 cannabis board;

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

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

36 (31) Records filed with the department of ecology under chapter
37 70A.515 RCW that a court has determined are confidential valuable
38 commercial information under RCW 70A.515.130; and

39 (32) Unaggregated financial, proprietary, or commercial
40 information submitted to or obtained by the liquor and cannabis board

1 in applications for licenses under RCW 66.24.140 or 66.24.145, or in
2 any reports or remittances submitted by a person licensed under RCW
3 66.24.140 or 66.24.145 under rules adopted by the liquor and cannabis
4 board under chapter 66.08 RCW.

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