**Summary of Public Comment**

**Permanent Rules to Implement SB 5991**

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| COMMENT | STAKEHOLDER | STAFF RESPONSE |
| Restrict the definition of “payments” that are reportable by an incidental committee to monetary transfers made with a donative intent.  (See comment for full explanation) | Barnard Iglitzin & Lavitt LLP | The emergency rules provide that payments are reportable regardless of donative intent. The term is not defined in statute, and therefore generally refers to any source of income, without qualification that it should be limited by the intent of the person making the payment. |
| Clarify whether contributions to out-of-state PACs by a non-profit organization are included for purposes of an incidental committee’s required registration and reporting. | Barnard Iglitzin & Lavitt LLP | The law does not expressly include contributions to “out-of-state” committees for purposes of qualifying as an incidental committee. The exclusion could be included in the rules for clarity. |
| Clarify whether an entity that sponsors a political committee is, by virtue of such sponsorship status alone, responsible for the expenditures made by that PAC, for purposes of determining whether that entity is an incidental committee. | Barnard Iglitzin & Lavitt LLP | The law requires a non-profit to register as an incidental committee if it has the expectation of making contributions or expenditures of at least $25,000 in a campaign or “to a political committee.” There is no exception for a non-profit that sponsors and contributes to its own PAC.  No clarification is warranted in rule. |
| Clarify whether a not-for-profit organization receiving a check for the aggregated dues or membership payments from a third party would not need to report that receipt of membership dues, under RCW 42.17A.240(2)(c), because the money received would constitute an aggregated payment, so long as the check did not include more than $10,000 from any single person. | Barnard Iglitzin & Lavitt LLP | The law expressly provides that payments received in aggregated form are not reportable, but any single payment of $10,000 or more within such aggregation must be reported.  No clarification is warranted in rule. |
| Clarify whether a not-for-profit organization receiving a check for the aggregated dues, membership, or “per capita” payments from an intermediate or local body that has collected those funds from its members would not need to report that receipt of membership dues as a payment received from the local or intermediate body, under RCW 42.17A.240(2)(c), because the money received would constitute an aggregated payment of moneys paid by the membership itself. | Barnard Iglitzin & Lavitt LLP | Dues collected and remitted to an organization by an intermediary would constitute payments received in aggregated form, and are not reportable.  No clarification is warranted in rule. |
| Clarify that the dissolution process for incidental committees is only for PDC purposes, and not a dissolution of the underlying organization itself. | Washington Nonprofits | This understanding is stated in the PDC guidance. |
| Several recommendations regarding the new I-C and C8 forms and the PDC interpretation on SB 5991 | Washington Nonprofits | These items do not affect rulemaking and will be taken under consideration for amending the forms and interpretations. |