Agency: Public Disclosure Commission

Effective date of rule:
Permanent Rules
☒ 31 days after filing.
☐ Other (specify) ______ (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?
☐ Yes  ☒ No  If Yes, explain:

Purpose: Amending the rules regarding the inspection of commercial advertisers records for political advertising or electioneering communications, including advertising on digital media.

Citation of rules affected by this order:
New:
Repealed:
Amended: WAC 390-18-050
Suspended:

Statutory authority for adoption: RCW 42.17A.110

Other authority:

PERMANENT RULE (Including Expedited Rule Making)
Adopted under notice filed as WSR 21-21-056 on 10/15/21 (date).
Describe any changes other than editing from proposed to adopted version: Section 5(c): The adopted version adds a requirement that an advertisement must not be reasonably identifiable to the commercial advertiser as a political advertisement at the time of purchase in order for the advertiser to have an additional three days to include the advertisement in its books of account.
Section 6(a): Restores the requirement that the commercial advertiser must include the name of the candidate or measure in its books of account (but does not require the advertiser to identify whether the advertisement supports or opposes any specific campaign).
Section 6(e): The adopted version includes a requirement that the books of account must include the dates the advertisement was presented to the public.
Section 7(g): Removes the additional categories from the list of examples of demographic information.

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:
Name:
Address:
Phone:
Fax:
TTY:
Email:
Web site:
Other:
Note: If any category is left blank, it will be calculated as zero.
No descriptive text.

Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.

The number of sections adopted in order to comply with:

<table>
<thead>
<tr>
<th>Category</th>
<th>New</th>
<th>Amended</th>
<th>Repealed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Federal statute</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Federal rules or standards</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Recently enacted state statutes</td>
<td></td>
<td></td>
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</tbody>
</table>

The number of sections adopted at the request of a nongovernmental entity:

<table>
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<tr>
<th></th>
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</thead>
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The number of sections adopted on the agency’s own initiative:

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<th></th>
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<th>Repealed</th>
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</thead>
</table>

The number of sections adopted in order to clarify, streamline, or reform agency procedures:

<table>
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<tr>
<th></th>
<th>New</th>
<th>Amended</th>
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</thead>
</table>

The number of sections adopted using:

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<th>Method</th>
<th>New</th>
<th>Amended</th>
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<tbody>
<tr>
<td>Negotiated rule making</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Pilot rule making</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other alternative rule making</td>
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<td></td>
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</tbody>
</table>

Date Adopted: January 27, 2022

Name: Sean Flynn

Title: General Counsel

Signature: