



RULE-MAKING ORDER PERMANENT RULE ONLY

CR-103P (December 2017) (Implements RCW 34.05.360)

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: February 04, 2022

TIME: 11:29 AM

WSR 22-05-021

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Repealed: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:

Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___

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

New	___	Amended	___	Repealed	___
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The number of sections adopted on the agency's own initiative:

New	___	Amended	<u>1</u>	Repealed	___
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	___	Amended	___	Repealed	___
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The number of sections adopted using:

Negotiated rule making:	New	___	Amended	___	Repealed	___
Pilot rule making:	New	___	Amended	___	Repealed	___
Other alternative rule making:	New	___	Amended	___	Repealed	___

Date Adopted: January 27, 2022	Signature: 
Name: Sean Flynn	
Title: General Counsel	