

NEW SECTION

WAC 390-05-521 Definition—Payments received by incidental committees. (1) Except as provided in subsection (2) of this section for the purpose of reporting the top ten largest sources of payments to an incidental committee, pursuant to RCW 42.17A.235, a "payment" means any monetary transfer or in-kind value accepted by the incidental committee, regardless of the donative intent or benefit received by the person making the transfer.

(2) A "payment" does not include:

(a) A source of funding the nonprofit organization is legally bound and explicitly prohibited from using for the purpose of supporting or opposing a candidate or ballot proposition campaign; or

(b) The fair market appreciation of assets held by an incidental committee such as in an investment account, including a brokerage account, and the sale or transfer of such assets from the account to the incidental committee.

NEW SECTION

WAC 390-05-535 Definition—Nonprofit organization within the meaning of incidental committee. A "nonprofit organization," as the term is used in the definition of incidental committee in RCW 42.17A.005, means an entity that meets one or more of the following criteria:

(1) An entity that is exempt from income tax under Title 26 U.S.C. Sec. 501(c) of the federal Internal Revenue Code;

(2) An organization, association or corporation whose income is not paid directly or indirectly to its members, stockholders, officers, directors or trustees except in the form of services rendered by the organization, association, or corporation in accordance with its purposes and bylaws and the salary or compensation paid to officers of such organization, association or corporation is for actual services rendered and compares to the salary or compensation of like positions within the public services of the state; or

(3) A limited partnership or limited liability company where an entity described in subsection (1) or (2) of this section is a general partner or managing member, respectively.