



# 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: November 30, 2018  
TIME: 11:07 AM

WSR 18-24-074

**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:** This rule is necessary to comply with Chapter 304, Laws of 2018, passed by the 2018 legislature concerning campaign finance law enforcement and reporting. The effective date of Chapter 304, Laws of 2018, was June 7, 2018.

**Citation of rules affected by this order:**

New: WAC 390-05-002, 390-05-005, 390-05-007, 390-05-100, 390-05-120, 390-05-192, 390-05-507; WAC 390-16-001, 390-16-043, 390-16-058, 390-16-059, 390-16-325; WAC 390-19-045; WAC 390-37-005, 390-37-042, 390-37-062, 390-37-071

Repealed: WAC 390-05-040, 390-05-250, 390-05-295, 390-05-530; WAC 390-12-040, 390-12-050, 390-12-170, 390-12-190, 390-12-200; WAC 390-16-038, 390-16-313; WAC 390-17-013; WAC 390-18-015, 390-18-060; WAC 390-37-041,

Amended: WAC 390-05-010, 390-05-020, 390-05-050, 390-05-190, 390-05-195, 390-05-200, 390-05-205, 390-05-210, 390-05-215, 390-05-220, 390-05-222, 390-05-225, 390-05-235, 390-05-243, 390-05-245, 390-05-255, 390-05-271, 390-05-273, 390-05-274, 390-05-275, 390-05-290, 390-05-300, 390-05-305, 390-05-400, 390-05-500, 390-05-505, 390-05-510, 390-05-515, 390-05-522, 390-05-525; WAC 390-12-010, 390-12-250; WAC 390-16-011, 390-16-011A, 390-16-012, 390-16-031, 390-16-031, 390-16-032, 390-16-033, 390-16-034, 390-16-037, 390-16-039, 390-16-041, 390-16-042, 390-16-049, 390-16-050, 390-16-060, 390-16-063, 390-16-071, 390-16-105, 390-16-111, 390-16-115, 390-16-121, 390-16-125, 390-16-205, 390-16-206, 390-16-207, 390-16-226, 390-16-230, 390-16-236, 390-16-238, 390-16-240, 390-16-245, 390-16-307, 390-16-308, 390-16-309, 390-16-310, 390-16-312, 390-16-320, WAC 390-17-015, 390-17-017, 390-17-019, 390-17-030, 390-17-060, 390-17-070, 390-17-071, 390-17-100, 390-17-105, 390-17-110, 390-17-200, 390-17-302, 390-17-303, 390-17-305, 390-17-310; 390-17-400, 390-17-405, 390-17-410; WAC 390-18-010, 390-18-020, 390-18-025, 390-18-027, 390-18-030, 390-18-050; WAC 390-19-010, 390-19-020, 390-19-040, 390-19-050; WAC 390-37-001, 390-37-010, 390-37-020, 390-37-030, 390-37-040, 390-37-060, 390-37-061, 390-37-063, 390-37-070, 390-37-075, 390-37-090, 390-37-100, 390-37-103, 390-37-105, 390-19-120, 390-37-130, 390-37-134, 390-37-136, 390-37-140, 390-19-142, 390-19-143, 390-19-144, 390-19-150, 390-19-182

Suspended:

**Statutory authority for adoption:** RCW 42.17A. 110(1) and Chapter 304, Laws of 2018

**Other authority:**

**PERMANENT RULE (Including Expedited Rule Making)**

Adopted under notice filed as WSR 18-16-036 on 07/25/2018 (date).

Describe any changes other than editing from proposed to adopted version:

- (WAC 390-05-305) Changes reference for electronic filing to be provide to the “PDC” replacing “commission.
- (WAC 390-16-207) Changes reference from “C-3” to “C-4” regarding where an in-kind contribution must be reported.
- (WAC 390-18-030) Changes the exemption of sponsor identification for stickers that are of a comparable size as worn by an individual.
- (WAC 390-18-050) Makes several changes to the inspection of records for commercial advertisers, including:

- Several grammatical changes to the meaning of commercial advertiser;
  - Explanation of requirements for commercial advertisers that sells advertising directly to the original purchaser;
  - Eliminating reference to specific statutory citations, including reference to the definition of books of account;
  - Requiring commercial advertisers to provide books of account and related materials electronically upon request or published on a web site, in addition to in-person availability;
  - Requiring book of account to include applicable identification for sponsoring entities;
  - Requiring book of account to include the initial cost estimate of the advertising if the total cost is not available upon distribution; and
  - Requiring book of account for digital communication platforms to include demographic information of the audiences targeted and reached.
- (WAC 390-37-050) Allows for a shorter response period for complaints received within 21 days of an election.
  - (WAC 390-37-060) Provides for regular reports to the commission on complaints initiated and processed.

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	<u>17</u>	Amended	121	Repealed	15

**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	___	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	<u>17</u>	Amended	<u>121</u>	Repealed	<u>15</u>

**Date Adopted:** November 29, 2018

**Name:** BG Sandahl

**Title:** Deputy Director

**Signature:**

