



**State of Washington
PUBLIC DISCLOSURE COMMISSION**

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TO: Members, Public Disclosure Commission
FROM: BG Sandahl, Deputy Director
DATE: January 24, 2019
RE: Interpretation Calendar for January 2019 through July 2019

Staff proposes the Commission consider the following interpretations for updating: following the adoption of the permanent rules for Chapter 304, Laws of 2018 (ESHB 2938):

- Primary Purpose Test (07-02)
<https://www.pdcca.wa.gov/learn/index-of-interpretations-by-subject/primary-purpose-test-guidelines>

The primary purpose test is a court-based analysis that is applied to the statutory definition “political committees” to determine whether an organization engages in the requisite kind of political activity to warrant regulation by the PDC. The current interpretation summarizes the existing case law that applies the primary purpose test. The interpretation should be evaluated in light of the continuing the development of case law of the test, and to determine the need for any update or clarification in the interpretation, or otherwise in rule or statute.

- Online Campaign Activities (07-04)
<https://www.pdcca.wa.gov/learn/index-of-interpretations-by-subject/online-campaign-activities>

As campaigns increase use of the Internet and electronic technologies for fundraising and advertising, the PDC must continue to review campaign reporting and advertising activities in light of such new technologies and evolving campaign practices. The current interpretation will be updated as needed in consideration of emerging technologies and practices.

- Surplus Funds (New)

Candidates are authorized by statute to designate certain campaign contributions as surplus funds, and to spend such funds for authorized purposes. The PDC informally advises candidates on the reporting and permissible uses of surplus funds. A new interpretation will address current questions and emerging issues regarding the permissible collection, reporting, and uses of surplus campaign funds.

Action Requested: Staff requests the Commission adopt the interpretative development agenda for January 2019 through July 2019.

PDC Interpretations are advisory in nature and are issued in accordance with RCW 34.05.230 <http://app.leg.wa.gov/RCW/default.aspx?cite=34.05.230> .