Chapter 390-16 WAC
CAMPAIGN FINANCE REPORTING

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WAC

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DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

390-16-010 Forms—For statement of organization by political committees. [Order 5, § 390-16-010, filed 3/2/73.] Repealed by Order 60, filed 7/16/75.

390-16-020 Forms—For report of campaign treasurer and depository. [Order 5, § 390-16-020, filed 3/2/73.] Repealed by Order 60, filed 7/16/75.

390-16-030 Forms—For statement of contributions deposit. [Order 5, § 390-16-030, filed 3/2/73.] Repealed by Order 60, filed 7/16/75.

390-16-035 Form C-3—Time for filing. [Order 87, § 390-16-035, filed 11/19/76; Order 62, § 390-16-035, filed 8/26/75; Order 20, § 390-16-035, filed 10/29/73.] Repealed by WSR 82-14-016 (Order 82-04), filed 6/28/82. Statutory Authority: RCW 42.17.370(1).

390-16-036 Form for reporting fund raising events. [Statutory Authority: RCW 42.17.370(1). WSR 86-04-071 (Order 86-01), § 390-16-036, filed 2/5/86; WSR 82-11-026 (Order 82-03), § 390-16-036, filed 5/10/82; WSR 82-02-007 (Order 81-04), § 390-16-036, filed 12/28/81; Order 84, § 390-16-036, filed 8/18/76.] Repealed by WSR 89-20-068, filed 10/4/89, effective 11/4/89. Statutory Authority: RCW 42.17.370.

390-16-038 Definition—Aggregate. [Statutory Authority: RCW 42.17A.110. WSR 12-03-002, § 390-16-038, filed 1/4/12, effective 2/4/12. Statutory Authority: RCW 42.17.370(1). WSR 10-20-012, § 390-16-038, filed 9/24/10, effective 10/25/10; WSR 02-03-018, § 390-16-038, filed 1/4/02, effective 2/4/02; WSR 96-09-016, § 390-16-038, filed 4/8/96, effective 5/9/96. Statutory Authority: RCW 42.17.370. WSR 93-22-002, § 390-16-038, filed 10/20/93, effective 11/20/93. Statutory Authority: RCW 42.17.370(1). WSR 86-04-071 (Order 86-01), § 390-16-038, filed 2/5/86; Order 62, § 390-16-038, filed 8/26/75.] Repealed by WSR 18-24-074, filed 11/30/18, effective 12/31/18. Statutory Authority: RCW 42.17A.110(1) and 2018 c 304.

390-16-040 Forms—For report of contributions and expenditures by candidates and political committees. [Order 5, § 390-16-040, filed 3/2/73.] Repealed by Order 60, filed 7/16/75.

390-16-044 Statewide ballot issue signature gathering expense—Reporting. [Statutory Authority: RCW 42.17.370. WSR 93-19-034, § 390-16-044, filed 9/7/93, effective 10/8/93.] Repealed by WSR 00-22-054, filed 10/27/00, effective 11/27/00. Statutory Authority: RCW 42.17.370(1).

390-16-055 Forfeiture of contributions received from out-of-state or federal political committees. [Statutory Authority: RCW 42.17.370(1). WSR 02-12-007, § 390-16-055, filed 5/23/02, effective 6/23/02; WSR 96-05-001, § 390-16-055, filed 2/7/96, effective 3/9/96. Statutory Authority: RCW 42.17.370. WSR 89-20-068, § 390-16-055, filed 10/4/89, effective 11/4/89. Statutory Authority: RCW 42.17.370(1). WSR 86-04-071 (Order 86-01), § 390-16-055, filed 2/5/86; WSR 82-14-016 (Order 82-04), § 390-16-055, filed 6/28/82; WSR 79-09-041 (Order 79-04), § 390-16-055, filed 8/17/79; Order 62, § 390-16-055, filed 8/26/75; Order 29, § 390-16-055, filed 5/27/74.] Repealed by WSR 04-01-133, filed 12/18/03, effective 1/18/04. Statutory Authority: RCW 42.17.370(1).

390-16-061 Campaign financing—Special reports. [Order 67, § 390-16-061, filed 1/16/76; Order 62, § 390-16-061, filed 8/26/75.] Repealed by WSR 86-04-071 (Order 86-01), filed 2/5/86. Statutory Authority: RCW 42.17.370(1).

390-16-062 Campaign financing—Special reports—Time for filing. [Order 67, § 390-16-062, filed 1/6/76; Order 62, § 390-16-062, filed 8/26/75.] Repealed by WSR 82-14-016 (Order 82-04), filed 6/28/82. Statutory Authority: RCW 42.17.370(1).

390-16-070 Form for report by commercial advertisers. [Order 62, § 390-16-070, filed 8/26/75; Order 41, § 390-16-070, filed 9/26/74; Order 6, § 390-16-070, filed 3/23/73.] Repealed by Order 73, filed 4/26/76.

390-16-080 Reports by nondomiciled committee—For report by candidates/committees less than $1,000 expenditures—Contributions. [Order 41, § 390-16-080, filed 9/26/74; Order 19, § 390-16-080, filed 10/29/73.] Repealed by WSR 80-02-106 (Order 80-02), filed 1/24/80. Statutory Authority: RCW 42.17.370(1).

390-16-085 Candidates and committees—Surplus funds—Defined. [Order 35, § 390-16-085, filed 8/29/74.] Repealed by WSR 80-02-106 (Order 80-02), filed 1/24/80. Statutory Authority: RCW 42.17.370(1).

390-16-090 Candidates and committees—Disposition. [Order 35, § 390-16-090, filed 8/29/74.] Repealed by WSR 80-02-106 (Order 80-02), filed 1/24/80. Statutory Authority: RCW 42.17.370(1).

390-16-095 Candidates and committees—Use in future. [Order 35, § 390-16-095, filed 8/29/74.] Repealed by WSR 80-02-106 (Order 80-02), filed 1/24/80. Statutory Authority: RCW 42.17.370(1).

390-16-100 Abbreviated campaign reporting—Reports by candidates/committees less than $1,000 expenditures—Contributions. [Order 62, § 390-16-100, filed 8/26/75.] Repealed by Order 76, filed 5/6/76.

390-16-110 Abbreviated campaign reporting—Ballot propositions. [Order 91, § 390-16-110, filed 7/22/77; Order 62, § 390-16-110, filed 8/26/75.] Repealed by WSR 86-04-071 (Order 86-01), filed 2/5/86. Statutory Authority: RCW 42.17.370(1).

390-16-120 Abbreviated campaign reporting—Times and place for filing reports C-1, C-1pc and C-4abb. [Statutory Authority: RCW 42.17.370. WSR 90-16-083, § 390-16-120, filed 7/31/90, effective 8/31/90; WSR 89-20-068, § 390-16-120, filed 10/4/89, effective 11/6/89. Statutory Authority: RCW 42.17.370(1). WSR 86-04-071 (Order 86-01), § 390-16-120, filed 2/5/86; WSR 79-08-046 (Order 79-03), § 390-16-120, filed 7/19/79; Order 91, § 390-16-120, filed 7/22/77; Order 62, § 390-16-120, filed 8/26/75.] Repealed by WSR 01-22-051, filed 10/31/01, effective 1/1/02. Statutory Authority: RCW 42.17.370 and 42.17.690.

390-16-150 Mini campaign reporting. [Statutory Authority: RCW 42.17.370(1). WSR 86-04-071 (Order 86-01), § 390-16-150, filed 2/5/86; WSR 85-15-020 (Order 85-03), § 390-16-150, filed 7/9/85; WSR 82-14-016 (Order 82-04), § 390-16-150, filed 6/28/82; Order 91, § 390-16-150, filed 7/22/77.] Repealed by WSR 01-10-052, filed 4/26/01, effective 6/1/01. Statutory Authority: RCW 42.17.370.

390-16-155 Mini campaign reporting—Exceeding limitations. [Statutory Authority: RCW 42.17.370. WSR 90-16-083, § 390-16-155, filed 7/31/90, effective 8/31/90; WSR 89-20-068, § 390-16-155, filed 10/4/89, effective 11/4/89. Statutory Authority: RCW 42.17.370(1). WSR 86-04-071 (Order 86-01), § 390-16-155, filed 2/5/86; WSR 82-14-016 (Order 82-04), § 390-16-155, filed 6/28/82; Order 91, § 390-16-155, filed 7/22/77.] Repealed by WSR 01-22-051, filed 10/31/01, effective 1/1/02. Statutory Authority: RCW 42.17.370 and 42.17.690.

390-16-190 Electronic filing. [Statutory Authority: RCW 42.17.080(7). WSR 96-04-020, § 390-16-190, filed 1/30/96, effective 3/1/96.] Repealed by WSR 02-01-016, filed 12/7/01, effective 1/7/02. Statutory Authority: RCW 42.17.370(1).

390-16-200 Encouraging expenditures to avoid contributions—Result. [Order 62, § 390-16-200, filed 8/26/75.] Repealed by WSR 98-12-036, filed 5/28/98, effective 6/28/98. Statutory Authority: RCW 42.17.370(1).

390-16-220 Surplus campaign funds—Definition. [Statutory Authority: RCW 42.17.370(1). WSR 78-07-037 (Order 98), § 390-16-220, filed 6/26/78; Order 70, § 390-16-220, filed 2/25/76; Order 62, § 390-16-220, filed 8/26/75.] Repealed by WSR 86-04-071 (Order 86-01), filed 2/5/86. Statutory Authority: RCW 42.17.370(1).

390-16-223 Major political party—Definition. [Statutory Authority: RCW 42.17.370(1). WSR 88-14-064 (Order 88-02), § 390-16-223, filed 7/1/88.] Repealed by WSR 88-20-029 (Order 88-04), filed 9/29/88. Statutory Authority: RCW 42.17.370(1).

390-16-225 Surplus campaign funds—Disposition. [Order 70, § 390-16-225, filed 2/25/76; Order 62, § 390-16-225, filed 8/26/75.] Repealed by WSR 86-04-071 (Order 86-01), filed 2/5/86. Statutory Authority: RCW 42.17.370(1).

390-16-300 Fund raising events—Time and place of filing form C-3A. [Order 84, § 390-16-300, filed 8/18/76.] Repealed by WSR 82-14-016 (Order 82-04), filed 6/28/82. Statutory Authority: RCW 42.17.370(1).

390-16-302	Reporting fund raising events—Incidental activities. [Order 84, § 390-16-302, filed 8/18/76.] Repealed by WSR 89-20-068, filed 10/4/89, effective 11/4/89. Statutory Authority: RCW 42.17.370.
390-16-306	Volunteer workers, fund raising activities. [Statutory Authority: RCW 42.17.370(1). WSR 86-04-071 (Order 86-01), § 390-16-306, filed 2/5/86; Order 84, § 390-16-306, filed 8/18/76.] Repealed by WSR 89-20-068, filed 10/4/89, effective 11/4/89. Statutory Authority: RCW 42.17.370.
390-16-311	Automatically affiliated entities maintaining separate contribution limits. [Statutory Authority: RCW 42.17.390. WSR 94-11-017, § 390-16-311, filed 5/5/94, effective 6/5/94.] Repealed by WSR 05-06-070, filed 3/1/05, effective 4/1/05. Statutory Authority: RCW 42.17.370.
390-16-313	Independent expenditure—Definition and application. [Statutory Authority: RCW 42.17A.110. WSR 12-03-002, § 390-16-313, filed 1/4/12, effective 2/4/12. Statutory Authority: RCW 42.17.370(1). WSR 97-10-055, § 390-16-313, filed 5/1/97, effective 6/1/97; WSR 96-09-016, § 390-16-313, filed 4/8/96, effective 5/9/96.] Repealed by WSR 18-24-074, filed 11/30/18, effective 12/31/18. Statutory Authority: RCW 42.17A.110(1) and 2018 c 304.
390-16-314	Independent expenditure—Disclosure. [Statutory Authority: RCW 42.17.370(1). WSR 96-09-016, § 390-16-314, filed 4/8/96, effective 5/9/96.] Repealed by WSR 10-20-011, filed 9/24/10, effective 10/25/10. Statutory Authority: RCW 42.17.370(1).

WAC 390-16-001 Campaign finance disclosure. Pursuant to chapter 29B.25 RCW, candidates, political committees, and other persons participating in elections are subject to reporting requirements with the public disclosure commission. This chapter provides information on how to meet those requirements. To provide the public with full and immediate disclosure, electronic filing is required where the commission has provided an electronic filing method. The executive director may waive the electronic filing requirement and allow for the use of another written format based on a filer's lack of technological ability to file electronically. Links to electronic filing systems, forms and the instructions for filing can be found on the PDC website.

[Statutory Authority: RCW 42.17A.110 and 2024 c 164. WSR 26-01-209, s 390-16-001, filed 12/24/25, effective 1/1/26. Statutory Authority: RCW 42.17A.110(1), 2019 c 428, and 2019 c 261. WSR 20-02-062, § 390-16-001, filed 12/24/19, effective 1/24/20. Statutory Authority: RCW 42.17A.110(1) and 2018 c 304. WSR 18-24-074, § 390-16-001, filed 11/30/18, effective 12/31/18.]

WAC 390-16-011 Registration statement for political committees. The official form for providing the statement of organization by political committees for designating a campaign treasurer and depository and for reporting information required to qualify for mini campaign finance reporting is designated "C-1pc."

[Statutory Authority: RCW 42.17A.110(1) and 2018 c 304. WSR 18-24-074, § 390-16-011, filed 11/30/18, effective 12/31/18. Statutory Authority: RCW 42.17A.110(1). WSR 17-22-071, § 390-16-011, filed 10/27/17, effective 11/27/17. Statutory Authority: RCW 42.17A.110 and 2015 c 72. WSR 16-04-027, § 390-16-011, filed 1/25/16, effective 2/25/16. Statutory Authority: RCW 42.17.130 and 42.17.093. WSR 12-01-047, § 390-16-011, filed 12/14/11, effective 1/14/12. Statutory Authority: RCW 42.17.370(1). WSR 10-20-011, § 390-16-011, filed 9/24/10, effective 10/25/10; WSR 08-01-069, § 390-16-011, filed 12/14/07, effective 1/14/08. Statutory Authority: RCW 42.17.370. WSR 06-08-039, § 390-16-011, filed 3/29/06, effective 4/29/06; WSR 05-06-070, § 390-16-011, filed 3/1/05, effective 4/1/05; WSR 01-10-049, § 390-16-011, filed 4/26/01, effective 6/1/01. Statutory Authority: RCW 42.17.370(1). WSR 00-22-050, § 390-16-011, filed 10/27/00, effective

11/27/00; WSR 99-22-083, § 390-16-011, filed 11/2/99, effective 12/3/99. Statutory Authority: RCW 42.17.390. WSR 94-05-011, § 390-16-011, filed 2/3/94, effective 3/6/94. Statutory Authority: RCW 42.17.370. WSR 93-15-004, § 390-16-011, filed 7/7/93, effective 8/7/93; WSR 92-18-002, § 390-16-011, filed 8/20/92, effective 9/20/92; WSR 91-22-033, § 390-16-011, filed 10/30/91, effective 11/30/91; WSR 89-20-068, § 390-16-011, filed 10/4/89, effective 11/4/89. Statutory Authority: RCW 42.17.370(1). WSR 86-04-071 (Order 86-01), § 390-16-011, filed 2/5/86; WSR 82-11-026 (Order 82-03), § 390-16-011, filed 5/10/82; WSR 82-02-007 (Order 81-04), § 390-16-011, filed 12/28/81; Order 91, § 390-16-011, filed 7/22/77; Order 62, § 390-16-011, filed 8/26/75; Order 60, § 390-16-011, filed 7/16/75.]

WAC 390-16-011A Sponsored political committee. (1) "Sponsored political committees," "sponsors of political committees," and "authorized committees," as those terms are used in the act and these rules, are defined in chapter 29B.10 RCW. This rule applies to political committees that are not authorized by a candidate, or by the public official against whom recall charges have been filed.

(2) A sponsored political committee must include on its C-1pc the name of at least one sponsor in the committee's name.

(3) For purposes of determining whether a political committee is sponsored, as defined in chapter 29B.10 RCW, by having received 80 percent or more of its contributions from a person or from the person's members, officers, employees, or shareholders, the political committee organized to support or oppose a particular candidate or ballot proposition must consider all contributions received by the committee in the previous 12 months.

(4) A sponsored political committee must amend its C-1pc 60 days before an election in which it participates if the committee's name on its most recently filed C-1pc does not include at least one current sponsor. To determine if the committee received 80 percent or more of its contributions from a person or from the person's members, officers, employees, or shareholders at the time of the amendment:

(a) A political committee not organized to support or oppose a particular candidate or ballot proposition must consider all contributions received in the previous 12 months through the date of filing the amended C-1pc.

(b) A committee organized to support or oppose a particular candidate or ballot proposition must consider all contributions received from the time the committee was organized or filed its initial C-1pc, whichever is earlier.

[Statutory Authority: RCW 42.17A.110 and 2024 c 164. WSR 26-01-209, s 390-16-011A, filed 12/24/25, effective 1/1/26. Statutory Authority: RCW 42.17A.110(1), 2019 c 428, and 2019 c 261. WSR 20-02-062, § 390-16-011A, filed 12/24/19, effective 1/24/20. Statutory Authority: RCW 42.17A.110(1) and 2018 c 304. WSR 18-24-074, § 390-16-011A, filed 11/30/18, effective 12/31/18. Statutory Authority: RCW 42.17.130 and 42.17.093. WSR 12-01-047, § 390-16-011A, filed 12/14/11, effective 1/14/12.]

WAC 390-16-012 Registration statement for candidates. The official form for providing the statement of organization by candidates and candidate committees, for designating a campaign treasurer and de-

pository, and for reporting information required to qualify for mini campaign finance reporting is designated "C-1."

[Statutory Authority: RCW 42.17A.110(1) and 2018 c 304. WSR 18-24-074, § 390-16-012, filed 11/30/18, effective 12/31/18. Statutory Authority: RCW 42.17A.110(1). WSR 17-22-071, § 390-16-012, filed 10/27/17, effective 11/27/17. Statutory Authority: RCW 42.17A.110 and 2015 c 72. WSR 16-04-027, § 390-16-012, filed 1/25/16, effective 2/25/16. Statutory Authority: RCW 42.17A.110. WSR 12-03-002, § 390-16-012, filed 1/4/12, effective 2/4/12. Statutory Authority: RCW 42.17.370(1). WSR 10-20-011, § 390-16-012, filed 9/24/10, effective 10/25/10; WSR 08-01-069, § 390-16-012, filed 12/14/07, effective 1/14/08. Statutory Authority: RCW 42.17.370. WSR 06-08-039, § 390-16-012, filed 3/29/06, effective 4/29/06; WSR 05-06-070, § 390-16-012, filed 3/1/05, effective 4/1/05; WSR 01-10-054, § 390-16-012, filed 4/26/01, effective 6/1/01. Statutory Authority: RCW 42.17.370(1). WSR 00-22-051, § 390-16-012, filed 10/27/00, effective 11/27/00; WSR 99-22-084, § 390-16-012, filed 11/2/99, effective 12/3/99. Statutory Authority: RCW 42.17.390. WSR 94-05-011, § 390-16-012, filed 2/3/94, effective 3/6/94. Statutory Authority: RCW 42.17.370. WSR 93-15-004, § 390-16-012, filed 7/7/93, effective 8/7/93; WSR 92-18-002, § 390-16-012, filed 8/20/92, effective 9/20/92; WSR 89-20-068, § 390-16-012, filed 10/4/89, effective 11/4/89.]

WAC 390-16-013 Incidental committees—Registration and reporting requirements and method for reporting. (1) Chapter 29B.25 RCW requires the disclosure of monetary and in-kind contributions and expenditures by nonprofit organizations that participate significantly in candidate and ballot proposition campaigns in Washington state. Nonprofit organizations that make contributions or expenditures in Washington elections above specified thresholds, and are not otherwise defined under the law as political committees, must file organizational statements with the PDC and disclose certain contributors, regardless of the organization's primary purpose. These are referred to in the law as "incidental committees." To be an incidental committee, triggering the requirements to file a statement of organization with the PDC and then file the required disclosure reports, an organization must expect to make contributions or expenditures of at least $35,000 in a calendar year for an election campaign and receive a payment of at least $15,000 from a single source.

(2) The official form for providing the statement of organization by incidental committees as required by RCW 29B.25.030 is designated the incidental committee registration report, or "C-1-IC."

(3) The official form for reporting top 10 payments and expenditures by incidental committees as required under RCW 29B.25.100 is designated the incidental committee payments and political expenditures report, or "C-8."

(4) These reporting forms must be filed electronically when the PDC has provided an electronic method to do so. Until an electronic method is provided, the reporting forms should be downloaded from the PDC's website, www.pdc.wa.gov, or obtained at the PDC office, in Olympia, Washington, and submitted by postal mail or hand delivery. The executive director may make exceptions on a case-by-case basis for an incidental committee that lacks the technological ability to file reports electronically.

(5) For purposes of determining whether a nonprofit organization has the expectation of making contributions or expenditures aggregating at least $35,000 in a calendar year that then triggers the reporting requirements:

(a) Contributions include any monetary or in-kind contributions made to a political committee, including a political committee that the nonprofit organization sponsors; and

(b) Contributions do not include contributions made to an out-of-state political committee, unless the contribution is earmarked or otherwise designated specifically for any in-state election campaign or political committee.

(6) The sources of the top 10 largest cumulative payments of $15,000 or greater, as required to be reported on the C-8 report, must include:

(a) The top 10 sources of payments within the current calendar year through the applicable reporting period, including any changes to the top 10 sources from the previous reporting period; and

(b) The total cumulative payment value, within the current calendar year through the applicable reporting period, made from a person who is reported on the current report as a source of a top 10 payment.

(7) For purposes of reporting the sources of the top 10 largest cumulative payments of $15,000 or greater, for payments received from multiple persons in an aggregated form, only a payment of more than $15,000 from any single person must be reported, but not the aggregated payment to the nonprofit organization itself or through any intermediary aggregated payment.

(8) An incidental committee may request a modification or suspension of reporting requirements in cases of manifestly unreasonable hardship pursuant to RCW 29B.20.040, as set forth in chapter 390-28 WAC.

(9) Each incidental committee is automatically dissolved at the end of the calendar year in which it was registered, or upon completion of all reporting requirements for that year, whichever is later. Dissolution does not absolve the nonprofit organization that registered as an incidental committee from responsibility for any obligations resulting from a finding before or after dissolution of a violation committed prior to dissolution. Dissolution in this context refers only to the termination of an incidental committee created to fulfill the nonprofit's reporting responsibilities under chapter 29B.25 RCW, and is not intended to affect the legal status of the nonprofit organization itself.

[Statutory Authority: RCW 42.17A.110 and 2024 c 164. WSR 26-01-209, s 390-16-013, filed 12/24/25, effective 1/1/26. Statutory Authority: RCW 42.17A.110 and [42.17A.]125. WSR 23-12-036, § 390-16-013, filed 5/30/23, effective 6/30/23. Statutory Authority: RCW 42.17A.110(1) and 2018 c 111. WSR 19-08-092, § 390-16-013, filed 4/3/19, effective 5/4/19.]

WAC 390-16-031 Statement of contributions deposit. The official form for statement of contributions deposit, as required by RCW 29B.25.090, is designated "C-3."

[Statutory Authority: RCW 42.17A.110 and 2024 c 164. WSR 26-01-209, s 390-16-031, filed 12/24/25, effective 1/1/26. Statutory Authority: RCW 42.17A.110(1) and 2018 c 304. WSR 18-24-074, § 390-16-031, filed

11/30/18, effective 12/31/18. Statutory Authority: RCW 42.17A.110(1). WSR 17-22-071, § 390-16-031, filed 10/27/17, effective 11/27/17. Statutory Authority: RCW 42.17A.110 and 2015 c 72. WSR 16-04-027, § 390-16-031, filed 1/25/16, effective 2/25/16. Statutory Authority: RCW 42.17A.110. WSR 12-03-002, § 390-16-031, filed 1/4/12, effective 2/4/12. Statutory Authority: RCW 42.17.370(1). WSR 02-01-014, § 390-16-031, filed 12/7/01, effective 1/7/02. Statutory Authority: RCW 42.17.390. WSR 94-05-011, § 390-16-031, filed 2/3/94 effective 3/6/94. Statutory Authority: RCW 42.17.370. WSR 93-09-002, § 390-16-031, filed 4/8/93, effective 5/9/93; WSR 89-20-068, § 390-16-031, filed 10/4/89, effective 11/5/89. Statutory Authority: RCW 42.17.370(1). WSR 86-04-071 (Order 86-01), § 390-16-031, filed 2/5/86; WSR 84-05-018 (Order 84-01), § 390-16-031, filed 2/10/84; WSR 82-11-026 (Order 82-03), § 390-16-031, filed 5/10/82; WSR 82-02-007 (Order 81-04), § 390-16-031, filed 12/28/81; WSR 81-14-038 (Order 81-02), § 390-16-031, filed 6/29/81; Order 62, § 390-16-031, filed 8/26/75; Order 60, § 390-16-031, filed 7/16/75.]

WAC 390-16-032 Auction report. The official form for reporting items donated and sold at auctions, as required by RCW 29B.25.100(2), is designated "Attachment Au." This attachment shall accompany each C-3 which reports the receipt of funds from an auction.

[Statutory Authority: RCW 42.17A.110 and 2024 c 164. WSR 26-01-209, s 390-16-032, filed 12/24/25, effective 1/1/26. Statutory Authority: RCW 42.17A.110(1) and 2018 c 304. WSR 18-24-074, § 390-16-032, filed 11/30/18, effective 12/31/18. Statutory Authority: RCW 42.17A.110(1). WSR 17-22-071, § 390-16-032, filed 10/27/17, effective 11/27/17. Statutory Authority: RCW 42.17A.110 and 2015 c 72. WSR 16-04-027, § 390-16-032, filed 1/25/16, effective 2/25/16. Statutory Authority: RCW 42.17A.110. WSR 12-03-002, § 390-16-032, filed 1/4/12, effective 2/4/12. Statutory Authority: RCW 42.17.370(1). WSR 02-03-018, § 390-16-032, filed 1/4/02, effective 2/4/02; WSR 99-22-081, § 390-16-032, filed 11/2/99, effective 12/3/99. Statutory Authority: RCW 42.17.390. WSR 94-05-011, § 390-16-032, filed 2/3/94, effective 3/6/94. Statutory Authority: RCW 42.17.370. WSR 92-19-011, § 390-16-032, filed 9/3/92, effective 10/4/92; WSR 89-20-068, § 390-16-032, filed 10/4/89, effective 11/4/89.]

WAC 390-16-033 Earmarked contributions—How to report. The official form for reporting the details surrounding an earmarked contribution, as required by RCW 29B.25.150, is designated "Special Report E." This report shall be filed within two business days of receiving a contribution earmarked for another candidate or committee.

[Statutory Authority: RCW 42.17A.110 and 2024 c 164. WSR 26-01-209, s 390-16-033, filed 12/24/25, effective 1/1/26. Statutory Authority: RCW 42.17A.110(1) and 2018 c 304. WSR 18-24-074, § 390-16-033, filed 11/30/18, effective 12/31/18. Statutory Authority: RCW 42.17A.110(1). WSR 17-22-071, § 390-16-033, filed 10/27/17, effective 11/27/17. Statutory Authority: RCW 42.17A.110. WSR 17-03-028, § 390-16-033, filed 1/6/17, effective 2/6/17. Statutory Authority: RCW 42.17A.110 and 2015 c 72. WSR 16-04-027, § 390-16-033, filed 1/25/16, effective 2/25/16. Statutory Authority: RCW 42.17A.110. WSR 12-03-002, § 390-16-033,

filed 1/4/12, effective 2/4/12. Statutory Authority: RCW 42.17.370(1). WSR 02-03-018, § 390-16-033, filed 1/4/02, effective 2/4/02. Statutory Authority: RCW 42.17.390. WSR 94-05-011, § 390-16-033, filed 2/3/94, effective 3/6/94. Statutory Authority: RCW 42.17.370. WSR 90-16-083, § 390-16-033, filed 7/31/90, effective 8/31/90; WSR 89-20-068, § 390-16-033, filed 10/4/89, effective 11/4/89. Statutory Authority: RCW 42.17.370(1). WSR 86-14-056 (Order 86-05), § 390-16-033, filed 6/27/86.]

WAC 390-16-034 Additional contribution reporting requirements. Pursuant to RCW 29B.25.100, each report required under RCW 29B.25.090 shall disclose, in addition to the name and address of each person who has made one or more contributions in the aggregate amount of more than $250, their occupation, and the name and location (city and state) of their employer.

[Statutory Authority: RCW 42.17A.110 and 2024 c 164. WSR 26-01-209, s 390-16-034, filed 12/24/25, effective 1/1/26. Statutory Authority: RCW 42.17A.110 and [42.17A.]125. WSR 23-07-004, § 390-16-034, filed 3/1/23, effective 4/1/23. Statutory Authority: RCW 42.17A.110(1) and 2018 c 304. WSR 18-24-074, § 390-16-034, filed 11/30/18, effective 12/31/18. Statutory Authority: RCW 42.17A.110. WSR 12-03-002, § 390-16-034, filed 1/4/12, effective 2/4/12. Statutory Authority: RCW 42.17.370(1). WSR 02-01-014, § 390-16-034, filed 12/7/01, effective 1/7/02; WSR 96-05-001, § 390-16-034, filed 2/7/96, effective 3/9/96. Statutory Authority: RCW 42.17.370. WSR 93-24-003, § 390-16-034, filed 11/18/93, effective 12/19/93.]

WAC 390-16-037 Purpose of campaign expenditures—How to report. (1) Any person required to report the "purpose" of an expenditure under RCW 29B.25.100(6), or 29B.25.120 (5)(b), must identify any candidate(s) or ballot proposition(s) that are supported or opposed by the expenditure as required to be filed under RCW 29B.25.020 (2)(f) and (g);

(2) Whenever an expenditure is made to a candidate or a political committee pursuant to an agreement or understanding of any kind regarding how the recipient will use the expenditure, the report must describe in detail that agreement or understanding and the goods and/or services to be provided.

Example A: If an expenditure is made directly to a vendor for get-out-the-vote (GOTV) phone calls or robocalls, the purpose must include the following details:

Vendor Name	Purpose	Amount
ABC Robocall	GOTV—phone bank 28th and 29th Legislative districts	$1,000

Example B: If an expenditure is made directly to a vendor for printing, the purpose must include the following details:

Vendor Name	Purpose	Amount
ABC Printing	5,000 brochures	$3,000

(3) Any expenditure using "synthetic media," as defined under RCW 29B.35.010, in the creation or distribution of any political advertising or other expenditure, must identify:

(a) The name of the vendor that provided the software or other digital technology used to create the synthetic media;

(b) The commercial advertiser that sold the advertising, if any; and

(c) The description of any audience targeting information provided as a service for any digital communication by a digital communication platform, or other vendor.

[Statutory Authority: RCW 42.17A.110 and 2024 c 164. WSR 26-01-209, s 390-16-037, filed 12/24/25, effective 1/1/26. Statutory Authority: RCW 42.17A.110 and 42.62.040. WSR 24-12-019, § 390-16-037, filed 5/24/24, effective 6/24/24. Statutory Authority: RCW 42.17A.110(1), 2019 c 428, and 2019 c 261. WSR 20-02-062, § 390-16-037, filed 12/24/19, effective 1/24/20. Statutory Authority: RCW 42.17A.110(1) and 2018 c 304. WSR 18-24-074, § 390-16-037, filed 11/30/18, effective 12/31/18. Statutory Authority: RCW 42.17A.110. WSR 12-03-002, § 390-16-037, filed 1/4/12, effective 2/4/12. Statutory Authority: RCW 42.17.370(1). WSR 04-01-134, § 390-16-037, filed 12/18/03, effective 1/18/04; WSR 96-05-001, § 390-16-037, filed 2/7/96, effective 3/9/96; WSR 82-05-001 (Order 82-01), § 390-16-037, filed 2/4/82.]

WAC 390-16-039 Total contributions and expenditures—How to report. (1) A continuing political committee which is not organized to support or oppose a particular candidate or ballot proposition shall report total contributions and expenditures based on a calendar year, or upon the basis of a fiscal year if the commission expressly authorizes this method. The report filed by such a continuing political committee covering January (or the first month thereafter for which a report would be required by RCW 29B.25.070 and 29B.25.090) shall contain in summary the following items remaining at the end of the year:

(a) Funds on hand;

(b) The total of outstanding pledges;

(c) Unpaid loans and outstanding obligations;

(d) Pledges given to others but not yet paid.

(2) Each candidate, each political committee and each continuing political committee organized to support or oppose a particular candidate or ballot proposition shall report total contributions and expenditures for the period beginning at the time the person becomes a candidate or when the committee is organized, whichever is earlier, and ending when the candidacy or committee is terminated.

(3) This rule shall not require a report unless such report would otherwise be required by Title 29B RCW.

[Statutory Authority: RCW 42.17A.110 and 2024 c 164. WSR 26-01-209, s 390-16-039, filed 12/24/25, effective 1/1/26. Statutory Authority: RCW 42.17A.110(1) and 2018 c 304. WSR 18-24-074, § 390-16-039, filed 11/30/18, effective 12/31/18. Statutory Authority: RCW 42.17A.110. WSR 12-03-002, § 390-16-039, filed 1/4/12, effective 2/4/12. Statutory Authority: RCW 42.17.370(1). WSR 86-04-071 (Order 86-01), § 390-16-039, filed 2/5/86; WSR 79-09-041 (Order 79-04), § 390-16-039, filed 8/17/79; Order 70, § 390-16-039, filed 2/25/76.]

WAC 390-16-041 Summary of total contributions and expenditures. The official form for reports of contributions and expenditures by candidates and political committees who use the "full" reporting option is designated "C-4," and includes Schedule A, Schedule B, Schedule C, and Schedule L.

[Statutory Authority: RCW 42.17A.110(1) and 2018 c 304. WSR 18-24-074, § 390-16-041, filed 11/30/18, effective 12/31/18. Statutory Authority: RCW 42.17A.110(1). WSR 17-22-071, § 390-16-041, filed 10/27/17, effective 11/27/17. Statutory Authority: RCW 42.17A.110 and 2015 c 72. WSR 16-04-027, § 390-16-041, filed 1/25/16, effective 2/25/16. Statutory Authority: RCW 42.17A.110. WSR 12-03-002, § 390-16-041, filed 1/4/12, effective 2/4/12. Statutory Authority: RCW 42.17.370(1). WSR 10-20-011, § 390-16-041, filed 9/24/10, effective 10/25/10; WSR 04-01-132, § 390-16-041, filed 12/18/03, effective 1/18/04; WSR 02-01-014, § 390-16-041, filed 12/7/01, effective 1/7/02; WSR 99-22-082, § 390-16-041, filed 11/2/99, effective 12/3/99. Statutory Authority: RCW 42.17.370(1) and 42.17.090 (1)(k). WSR 97-06-085, § 390-16-041, filed 3/3/97, effective 4/3/97. Statutory Authority: RCW 42.17.390. WSR 94-05-011, § 390-16-041, filed 2/3/94, effective 3/6/94. Statutory Authority: RCW 42.17.370. WSR 93-09-002, § 390-16-041, filed 4/8/93, effective 5/9/93; WSR 92-18-002, § 390-16-041, filed 8/20/92, effective 9/20/92; WSR 92-05-080, § 390-16-041, filed 2/18/92, effective 3/20/92; WSR 91-22-033, § 390-16-041, filed 10/30/91, effective 11/30/91; WSR 90-16-083, § 390-16-041, filed 7/31/90, effective 8/31/90; WSR 89-20-068, § 390-16-041, filed 10/4/89, effective 11/4/89. Statutory Authority: RCW 42.17.370(1). WSR 86-08-030 (Order 86-02), § 390-16-041, filed 3/26/86; WSR 86-04-071 (Order 86-01), § 390-16-041, filed 2/5/86; WSR 84-05-018 (Order 84-01), § 390-16-041, filed 2/10/84; WSR 82-11-026 (Order 82-03), § 390-16-041, filed 5/10/82; WSR 82-02-007 (Order 81-04), § 390-16-041, filed 12/28/81; Order 91, § 390-16-041, filed 7/22/77; Order 62, § 390-16-041, filed 8/26/75; Order 60, § 390-16-041, filed 7/16/75.]

WAC 390-16-042 Debts and obligations—Contingent liabilities—How to report. (1) As used in chapter 29B.10 RCW and RCW 29B.25.100, "promise," "promise to pay," "debt" and "obligations" mean:

(a) Any oral or written order or agreement placed for goods, services, or anything else of value;

(b) Any offer to purchase advertising space, broadcast time, or other written, broadcast, or digital advertising-related product or service;

(c) Any contractual contingent liability; or

(d) Provided that the amount of the debt or obligation in (a), (b), or (c) of this subsection owed to a vendor is more than $1,000, and the vendor has not been paid in full for the goods received, invoices submitted, or services performed within the time periods specified below:

(i) For reports due within 30 days of an election, debts or obligations of more than $1,000 must be reported if the debt or obligation has been outstanding for more than five business days as of the last day of the reporting period.

(ii) For reports due during any other reporting period, debts or obligations of more than $1,000 must be reported if the debt or obli-

gation has been outstanding for more than 10 business days as of the last day of the reporting period.

(2) A contractual contingent liability (e.g., an additional fee to be paid to a political consultant or other person conditioned upon the candidate winning the election) is reportable as a debt or obligation from the time the contract or agreement is entered into until the liability is voided, paid or otherwise satisfied.

(3) Regularly recurring expenditures, of the same type and same or similar amount that have been reported at least once, need not be reported as debt unless they are past due as of the last day of the reporting period. Examples of recurring obligations that can be reported as recurring expenditures rather than debt include rent, utilities, insurance, cellular phone costs, and payments to campaign staff.

[Statutory Authority: RCW 42.17A.110 and 2024 c 164. WSR 26-01-209, s 390-16-042, filed 12/24/25, effective 1/1/26. Statutory Authority: RCW 42.17A.110 and [42.17A.]125. WSR 23-12-036, § 390-16-042, filed 5/30/23, effective 6/30/23. Statutory Authority: RCW 42.17A.110(1), 2019 c 428, and 2019 c 261. WSR 20-02-062, § 390-16-042, filed 12/24/19, effective 1/24/20. Statutory Authority: RCW 42.17A.110(1) and 2018 c 304. WSR 18-24-074, § 390-16-042, filed 11/30/18, effective 12/31/18. Statutory Authority: RCW 42.17.370. WSR 89-20-068, § 390-16-042, filed 10/4/89, effective 11/4/89.]

WAC 390-16-043 Candidates and political committees—Public inspection of books of account. (1) RCW 29B.10.080 defines "books of account" for candidates and political committees as "a ledger or similar listing of contributions, expenditures, and debts, such as a campaign or committee is required to file regularly with the commission, current as of the most recent business day."

(2) RCW 29B.25.070 and 29B.25.090 require that candidates and political committees participating in an election as defined in RCW 29B.10.190, must make their books of account available for public inspection. The public inspection of books of account is not intended to be an exhaustive audit of all contributions received and expenditures made.

(3) Any individual who requests to publicly inspect the books of account of a candidate or political committee, must make the request during the period beginning 10 calendar days before a primary, general, or special election, by contacting the filer's email address listed on the C-1 report for a candidate, or the C-1pc report for a political committee.

(4) The inspection of the books of account may occur on weekdays, unless the treasurer for the candidate or committee agrees otherwise, beginning on the eighth day before the election, excluding legal holidays, for at least two consecutive hours between 9:00 a.m. and 5:00 p.m. at a location that is agreed upon by the treasurer and the individual requesting the inspection. If the treasurer and requestor are unable to agree on a location and the treasurer has not provided digital access to the books of account, the default location for an appointment must be a place of public accommodation selected by the treasurer within a reasonable distance from the treasurer's office. However, if the treasurer is located out-of-state, the default location must be within the state of Washington and reasonably accessible to both parties. The inspection must be allowed within 48 hours of the

date and time the request was made at the agreed-upon location, provided that if the request is not made by 3:00 p.m. on the third day preceding an election, the candidate or political committee need only make best efforts to accommodate the request.

(5) The treasurer for the candidate or committee may make the books of account available electronically, in lieu of scheduling an in-person inspection, or if a location cannot be agreed upon by both parties. If the campaign's only copy of its books of account is maintained electronically with security protections, the person requesting the inspection must be given sufficient instruction to allow the inspection to proceed.

(6) The books of account, ledger and other supporting documentation must be maintained by the treasurer and kept current within one business day. The books of account of a candidate or political committee include the following: A ledger, spreadsheet, or similar listing of contributions, expenditures, loans, debts and obligations to substantiate the information disclosed on the PDC campaign finance reports. The books of account must include the underlying source documents such as receipts, invoices, copies of contribution checks, copies of canceled checks for expenditures, digital transactions, notes, or other documentation concerning expenditures, orders placed, and loans. The campaign or committee is not required to provide the name and address of contributors who gave $100 or less in the aggregate in total contributions.

(7) The candidate or political committee is not required to make copies of its books of account for the requestor. Videorecording, photographing, or photocopying of the records is not required to be permitted but may be agreed to by both parties during or in advance of the inspection.

(8) At the time of making the appointment, the person requesting to inspect the books of account must provide the name(s) and contact information for all individuals who will be in attendance for the inspection. The requestor(s) must show photo identification prior to the inspection beginning, and the candidate or political committee may deny the inspection from occurring if photo identification is not provided.

(9) The records required by this section must be available for audit or examination by the PDC at any time upon request from the PDC.

[Statutory Authority: RCW 42.17A.110 and 2024 c 164. WSR 26-01-209, s 390-16-043, filed 12/24/25, effective 1/1/26. Statutory Authority: RCW 42.17A.110 and [42.17A.]125. WSR 23-12-036, § 390-16-043, filed 5/30/23, effective 6/30/23. Statutory Authority: RCW 42.17A.110(1), 2019 c 428, and 2019 c 261. WSR 20-02-062, § 390-16-043, filed 12/24/19, effective 1/24/20. Statutory Authority: RCW 42.17A.110(1) and 2018 c 304. WSR 18-24-074, § 390-16-043, filed 11/30/18, effective 12/31/18.]

WAC 390-16-049 Out-of-state political committees. (1) RCW 29B.25.110 governs campaign reporting in Washington state by committees located outside of Washington. The committee begins reporting when it makes an expenditure supporting or opposing a Washington state candidate or political committee.

(2) To file as an out-of-state political committee, all the criteria in (a) and (b) of this subsection must be satisfied:

(a) **Out-of-state.** First, the committee must be located out-of-state. It must maintain its office or headquarters in another U.S. state or the District of Columbia, and have no office, street address or corporate registered agent in Washington state. If there is no office or headquarters in another state or the District of Columbia, and no corporate registered agent in Washington state, the political committee is deemed out-of-state if its treasurer resides in another U.S. state or the District of Columbia.

(b) **Organizational purpose and campaign activities.** Second, the committee must also be currently organized primarily for engaging in campaign activities in another state. Therefore, to qualify as a current out-of-state committee, the committee must also:

(i) Be currently registered and actively filing campaign disclosure reports in one or more other states and has been so filing for the preceding two years; and

(ii) Have organizational documents showing it was originally formed and is currently organized for the purpose of making expenditures in another state or soliciting contributions for use in another state's election campaigns; and

(iii) Have spent less than 20 percent of its aggregate expenditures for all political campaign activity nationwide at any point in any calendar year to support and/or oppose Washington candidates for state, local and judicial office, Washington ballot measures and/or Washington political committees.

(3) A committee that does not satisfy the criteria in subsection (2) of this section shall file as an in-state committee under Title 29B RCW, including RCW 29B.25.020 through 29B.25.100.

(4) Out-of-state political committees reporting under RCW 29B.25.110 are also subject to reporting pursuant to RCW 29B.25.130 (political advertising independent expenditures) and RCW 29B.30.020 through 29B.30.040 (electioneering communications).

[Statutory Authority: RCW 42.17A.110 and 2024 c 164. WSR 26-01-209, s 390-16-049, filed 12/24/25, effective 1/1/26. Statutory Authority: RCW 42.17A.110(1) and 2018 c 304. WSR 18-24-074, § 390-16-049, filed 11/30/18, effective 12/31/18. Statutory Authority: RCW 42.17A.110. WSR 12-03-002, § 390-16-049, filed 1/4/12, effective 2/4/12. Statutory Authority: RCW 42.17.370(1). WSR 09-19-003 and 09-19-102, § 390-16-049, filed 9/2/09 and 9/21/09, effective 10/3/09 and 11/4/09.]

WAC 390-16-050 Forms for contributions and expenditures of out-of-state political committees. The official form for the report required by RCW 29B.25.110 of contributions and expenditures of an out-of-state political committee organized for the purpose of supporting or opposing candidates or ballot propositions in another state, that is not otherwise required to report under RCW 29B.25.010 through 29B.25.100, is designated "C-5."

[Statutory Authority: RCW 42.17A.110 and 2024 c 164. WSR 26-01-209, s 390-16-050, filed 12/24/25, effective 1/1/26. Statutory Authority: RCW 42.17A.110(1) and 2018 c 304. WSR 18-24-074, § 390-16-050, filed 11/30/18, effective 12/31/18. Statutory Authority: RCW 42.17A.110(1). WSR 17-22-071, § 390-16-050, filed 10/27/17, effective 11/27/17. Statutory Authority: RCW 42.17A.110, 42.17A.125(1), and 42.17A.250 [(1)](g). WSR 16-04-080, § 390-16-050, filed 1/29/16, effective 2/29/16; WSR 14-01-010, § 390-16-050, filed 12/5/13, effective 1/5/14.

Statutory Authority: RCW 42.17A.110 and 42.17A.250 (1)(g). WSR 12-11-033, § 390-16-050, filed 5/10/12, effective 6/10/12. Statutory Authority: RCW 42.17.130 and 42.17.093. WSR 12-01-047, § 390-16-050, filed 12/14/11, effective 1/14/12. Statutory Authority: RCW 42.17.370(1) and 42.17.093 (1)(g). WSR 09-19-004 and 09-19-103, § 390-16-050, filed 9/2/09 and 9/21/09, effective 10/3/09 and 11/4/09. Statutory Authority: RCW 42.17.370. WSR 08-01-059, § 390-16-050, filed 12/14/07, effective 1/14/08. Statutory Authority: RCW 42.17.370 and 42.17.093 (1)(i). WSR 06-18-035, § 390-16-050, filed 8/28/06, effective 9/28/06. Statutory Authority: RCW 42.17.370(1). WSR 04-01-131, § 390-16-050, filed 12/18/03, effective 1/18/04; WSR 02-12-007, § 390-16-050, filed 5/23/02, effective 6/23/02; WSR 02-03-018, § 390-16-050, filed 1/4/02, effective 2/4/02. Statutory Authority: RCW 42.17.390. WSR 94-05-011, § 390-16-050, filed 2/3/94 effective 3/6/94. Statutory Authority: RCW 42.17.370. WSR 89-20-068, § 390-16-050, filed 10/4/89, effective 11/4/89. Statutory Authority: RCW 42.17.370(1). WSR 86-04-071 (Order 86-01), § 390-16-050, filed 2/5/86; WSR 82-11-026 (Order 82-03), § 390-16-050, filed 5/10/82; Order 77, § 390-16-050, filed 6/2/76; Order 62, § 390-16-050, filed 8/26/75; Order 6, § 390-16-050, filed 3/23/73.]

WAC 390-16-058 Independent expenditure—Definition and application. (1) "Independent expenditure," as that term is used in Title 29B RCW, other than RCW 29B.25.120, and as used in these rules, means an "expenditure" as defined in RCW 29B.10.310 that has each of the following elements:

(a) It is made in support of or in opposition to a candidate for public office subject to the filing requirements in Title 29B RCW, by a person who is not:

(i) A candidate for that office;

(ii) An authorized committee of that candidate for that office;

(iii) A person who has received the candidate's encouragement or approval to make the expenditure, if the expenditure pays in whole or in part for any political advertising supporting that candidate or promoting the defeat of any other candidate or candidates for that office.

(b) It is made in support of any or in opposition to a candidate for office by a person with whom the candidate has not collaborated for the purpose of making the expenditure, if the expenditure pays in whole or in part for any political advertising supporting that candidate or promoting the defeat of any other candidate or candidates for that office;

(c) The expenditure pays in whole or in part for any political advertising that either specifically names the candidate supported or opposed, or clearly and beyond any doubt identifies the candidate without using the candidate's name;

(d) The expenditure, alone or in conjunction with another expenditure or other expenditures of the same person in support of or opposition to that candidate, has a value of $2,000 or more. A series of expenditures, each of which is under $2,000, constitutes one independent expenditure if their cumulative value is $2,000 or more; and

(e) The expenditure is not a contribution as defined in RCW 29B.10.310 and provided in WAC 390-05-210.

(2) Exempt activities. The following activities are not considered independent expenditures for purposes of RCW 29B.25.120, 29B.50.080, or 29B.30.050:

(a) Ordinary home hospitality;

(b) A news item, feature, commentary, or editorial, or communications with journalists or editorial staff designed to elicit the same, in a regularly scheduled news medium that is of interest to the public, that is in a news medium controlled by a person whose business is that news medium, and that is not controlled by a candidate or a political committee;

(c) Participation in the creation of a publicly funded voters' pamphlet statement in written or video form;

(d) An internal political communication primarily limited to:

(i) The members of or contributors to a political party organization or political committee;

(ii) The officers, management staff, or stockholders of a corporation or similar enterprise; or

(iii) The members of a labor organization or other membership organization.

(e) Messages in the form of reader boards, banners, or yard or window signs displayed on a person's own property or the property occupied by a person. However, a facility used for such political advertising for which a rental charge is normally assessed must be reported as an in-kind contribution at its fair market value and counts toward any applicable contribution limit of the person providing the facility; or

(f) The rendering of personal services of the sort commonly performed by volunteer campaign workers or incidental expenses personally incurred by volunteer campaign workers not in excess of $350 personally paid by the worker.

[Statutory Authority: RCW 42.17A.110 and 2024 c 164. WSR 26-01-209, s 390-16-058, filed 12/24/25, effective 1/1/26. Statutory Authority: RCW 42.17A.110 and [42.17A.]125. WSR 23-12-036, § 390-16-058, filed 5/30/23, effective 6/30/23. Statutory Authority: RCW 42.17A.110(1), 2019 c 428, and 2019 c 261. WSR 20-02-062, § 390-16-058, filed 12/24/19, effective 1/24/20. Statutory Authority: RCW 42.17A.110(1) and 2018 c 304. WSR 18-24-074, § 390-16-058, filed 11/30/18, effective 12/31/18.]

WAC 390-16-059 Electioneering communication reporting threshold. (1) A "sponsor" of an electioneering communication is defined in RCW 29B.10.220.

(2) For the purposes of RCW 29B.10.220, an electioneering communication is reportable by the sponsor to the commission when the communication, alone or in combination:

(a) Identifies the same candidate in one or more communications satisfying RCW 29B.10.220 or these rules;

(b) Is made by the same sponsor of one or more of the communications;

(c) When it, either alone, or in combination with one or more communications identifying the candidate by the same sponsor during the 60 days before an election, has a fair market or aggregate value of $2,000 or more; and

(d) Is not a communication excluded from the meaning of "expenditure" under RCW 29B.10.230 or by these rules.

(3) When the communications (including radio, television, electronic, mailings, billboards, newspapers, online, or periodicals) reach the $2,000 threshold, the sponsor must report to the commission as required by RCW 29B.30.020 within 24 hours of, or on the first working day after, the date the communication is first broadcast, transmitted electronically, erected, distributed, published online or by other media, or otherwise presented to the public.

(4) Once the $2,000 threshold is reached, all subsequent electioneering communications by the sponsor identifying the same candidate are reportable as provided in RCW 29B.30.020 and this rule.

(5) When more than one sponsor pays for the electioneering communication, the entire fair market value of the communication is attributable to all sponsors. All sponsors of the same communication are responsible for reporting once the $2,000 threshold is met. A failure to report by one joint sponsor is not attributable to all joint sponsors of a specific communication or communications if the remaining sponsors have reported properly.

(6) Consistent with WAC 390-16-060 and the requirements of the PDC C-6 Report, a prorated portion of independent expenditure and electioneering communications expenditures must be attributed to each candidate or ballot proposition identified in the advertisement or communication. That proration must be based on a reasonable, good faith estimate of the value of the portion of the advertisement or communication relating to each candidate or proposition identified.

[Statutory Authority: RCW 42.17A.110 and 2024 c 164. WSR 26-01-209, s 390-16-059, filed 12/24/25, effective 1/1/26. Statutory Authority: RCW 42.17A.110 and [42.17A.]125. WSR 23-12-036, § 390-16-059, filed 5/30/23, effective 6/30/23. Statutory Authority: RCW 42.17A.110(1), 2019 c 428, and 2019 c 261. WSR 20-02-062, § 390-16-059, filed 12/24/19, effective 1/24/20. Statutory Authority: RCW 42.17A.110(1) and 2018 c 304. WSR 18-24-074, § 390-16-059, filed 11/30/18, effective 12/31/18.]

WAC 390-16-060 Independent expenditures and electioneering communications—How to report. The official form for reports of independent expenditures and electioneering communications as required by RCW 29B.25.120, 29B.25.130, and 29B.30.020 is designated "C-6."

[Statutory Authority: RCW 42.17A.110 and 2024 c 164. WSR 26-01-209, s 390-16-060, filed 12/24/25, effective 1/1/26. Statutory Authority: RCW 42.17A.110(1) and 2018 c 304. WSR 18-24-074, § 390-16-060, filed 11/30/18, effective 12/31/18. Statutory Authority: RCW 42.17A.110(1). WSR 17-22-071, § 390-16-060, filed 10/27/17, effective 11/27/17. Statutory Authority: RCW 42.17.130 and 42.17.093. WSR 12-01-047, § 390-16-060, filed 12/14/11, effective 1/14/12. Statutory Authority: RCW 42.17.370 and 42.17.562. WSR 06-11-132, § 390-16-060, filed 5/23/06, effective 6/23/06. Statutory Authority: RCW 42.17.370(1). WSR 02-12-007, § 390-16-060, filed 5/23/02, effective 6/23/02; WSR 02-03-018, § 390-16-060, filed 1/4/02, effective 2/4/02. Statutory Authority: RCW 42.17.370. WSR 89-20-068, § 390-16-060, filed 10/4/89, effective 11/4/89. Statutory Authority: RCW 42.17.370(1). WSR 86-04-071 (Order 86-01), § 390-16-060, filed 2/5/86; WSR 82-11-026 (Order 82-03), § 390-16-060, filed 5/10/82; Order 77, § 390-16-060,

filed 6/2/76; Order 62, § 390-16-060, filed 8/26/75; Order 6, § 390-16-060, filed 3/23/73.]

WAC 390-16-063 Additional information regarding independent expenditures and C-6 report filing. (1) RCW 29B.25.120 requires a person not otherwise subject to the disclosure requirements of Title 29B RCW to disclose an independent expenditure of $1,000 or more that supports or opposes a candidate or ballot measure. RCW 29B.25.130 requires the disclosure of political advertising with a fair market value of $2,000 or more that is presented to the public within 21 days of an election, that supports or opposes a ballot proposition, or that qualifies as an independent expenditure and supports or opposes a candidate.

(a) **Prorating and attributing independent expenditures that support or oppose multiple candidates or ballot measures.** Whether to disclose an independent expenditure that supports or opposes multiple candidates or ballot measures is determined by prorating and attributing the cost of the expenditure among all candidates or ballot measures that are the subject of the expenditure. Disclosure is required when:

(i) The pro rata cost for a single candidate or ballot measure reaches or exceeds the statutory threshold and none of the subject candidates are seeking election to the same office and none of the subject ballot measures are competing measures; or

(ii) The sum of the pro rata costs attributable to all candidates seeking election to the same office or the sum of the pro rata costs attributable to competing ballot measures reaches or exceeds the statutory threshold.

Example 1 (prorating): A mailer/postcard supports one candidate and one ballot measure at a total cost of $3,200. One side of the postcard is entirely devoted to the ballot measure. The other side is split evenly between the candidate and the ballot measure. The ballot measure's pro rata share is $2,400 (75%) and the candidate's pro rata share is $800 (25%).

Example 2 (prorating and attributing): An independent expenditure ad appears in the newspaper two weeks before the election. The ad costs $2,000; 50% of the ad supports a candidate and the other 50% opposes the candidate's opponent. The independent expenditure is disclosed under RCW 29B.25.130 because the sum of the pro rata share for the two candidates who seek the same office is $2,000.

(b) **Disclosing independent expenditures that support or oppose multiple candidates or ballot measures.** When a pro rata, attributable cost reaches or exceeds the statutory threshold, the entire independent expenditure must be disclosed, including the amounts attributable to all candidates and ballot propositions supported or opposed by the expenditure.

(c) **Other applications of prorating and attributing independent expenditures.** Use the prorating and attribution steps explained in (a)(i) and (ii) of this section to determine when an independent expenditure as defined in RCW 29B.10.310 must comply with the "no candidate authorized this ad" sponsor identification and, if applicable, the "top 5" contributors required by RCW 29B.30.050 and WAC 390-18-010.

(2) A political committee reporting pursuant to RCW 29B.25.070, 29B.25.090, and 29B.25.100 is exempt from providing on a C-6 form the sources of any funds received by the committee for an electioneering

communication, unless the committee received funds that were earmarked or otherwise designated for the communication.

(3) An out-of-state political committee must report pursuant to RCW 29B.30.020 if it sponsors an electioneering communication as defined in RCW 29B.10.220.

(4) The sponsor of an electioneering communication must report pursuant to RCW 29B.30.020 and these rules regarding electioneering communications, even if the expenditure also satisfies the definition of independent expenditure in RCW 29B.10.310 or 29B.25.120. Persons in compliance with this subsection are deemed in compliance with RCW 29B.25.120 or 29B.25.130.

(5) Any person making an expenditure that is reportable under RCW 29B.50.100, grass roots lobbying campaigns, that also satisfies the definition of electioneering communication in RCW 29B.10.220, must also file pursuant to RCW 29B.30.020 and these rules regarding electioneering communications. The report filed pursuant to RCW 29B.30.020 must identify the grass roots campaign.

(6) In addition to any other reporting requirements on the C-6 form, any political advertising that supports or opposes a ballot proposition or that supports or opposes a candidate and qualifies as an independent expenditure, or any electioneering communication, must identify any "synthetic media," as defined under RCW 29B.35.010, that was used in the advertising or communication, and further report:

(a) The name of the vendor that provided the software or other digital technology used to create the synthetic media;

(b) The commercial advertiser that sold the advertising or communication, if any; and

(c) The description of any audience targeting information provided for any digital communication by a digital communication platform, or other vendor.

[Statutory Authority: RCW 42.17A.110 and 2024 c 164. WSR 26-01-209, s 390-16-063, filed 12/24/25, effective 1/1/26. Statutory Authority: RCW 42.17A.110 and 42.62.040. WSR 24-12-019, § 390-16-063, filed 5/24/24, effective 6/24/24. Statutory Authority: RCW 42.17A.110, 42.17A.125, 42.17A.615, and 42.17A.640. WSR 24-01-028, § 390-16-063, filed 12/8/23, effective 1/8/24. Statutory Authority: RCW 42.17A.110 and [42.17A.]125. WSR 23-12-036, § 390-16-063, filed 5/30/23, effective 6/30/23. Statutory Authority: RCW 42.17A.110(1), 2019 c 428, and 2019 c 261. WSR 20-02-062, § 390-16-063, filed 12/24/19, effective 1/24/20. Statutory Authority: RCW 42.17A.110(1) and 2018 c 304. WSR 18-24-074, § 390-16-063, filed 11/30/18, effective 12/31/18. Statutory Authority: RCW 42.17A.110(1). WSR 14-12-012, § 390-16-063, filed 5/22/14, effective 6/22/14. Statutory Authority: RCW 42.17A.110. WSR 12-03-002, § 390-16-063, filed 1/4/12, effective 2/4/12. Statutory Authority: RCW 42.17.370 and 42.17.562. WSR 06-11-132, § 390-16-063, filed 5/23/06, effective 6/23/06.]

WAC 390-16-071 Annual report of major contributors and persons making independent expenditures. RCW 29B.50.080 requires that:

(1) Any person, other than an individual, must file with the commission an annual "Special Political Expenditures" report, if the person:

(a) Made contributions to any state office candidates or statewide ballot proposition committees totaling more than the aggregate

amount during the preceding calendar year for contributions referenced in WAC 390-05-400; or

(b) Made independent expenditures regarding state office candidates and statewide ballot propositions totaling more than the aggregate amount during the preceding calendar year for independent expenditures on political advertising, referenced in WAC 390-05-400.

(2) The report is not required of a lobbyist employer filing an annual L-3 report pursuant to RCW 29B.50.080 or of a candidate's authorized committee or a political committee, provided the information has been properly reported pursuant to RCW 29B.25.090 and 29B.25.100.

(3) The "Special Political Expenditures" report is designated "C-7."

[Statutory Authority: RCW 42.17A.110 and 2024 c 164. WSR 26-01-209, s 390-16-071, filed 12/24/25, effective 1/1/26. Statutory Authority: RCW 42.17A.110(1), 2019 c 428, and 2019 c 261. WSR 20-02-062, § 390-16-071, filed 12/24/19, effective 1/24/20. Statutory Authority: RCW 42.17A.110(1) and 2018 c 304. WSR 18-24-074, § 390-16-071, filed 11/30/18, effective 12/31/18. Statutory Authority: RCW 42.17A.110(1). WSR 17-22-071, § 390-16-071, filed 10/27/17, effective 11/27/17. Statutory Authority: RCW 42.17A.110 and 42.17A.125(2). WSR 15-01-066, § 390-16-071, filed 12/11/14, effective 1/11/15. Statutory Authority: RCW 42.17A.110. WSR 12-03-002, § 390-16-071, filed 1/4/12, effective 2/4/12. Statutory Authority: RCW 42.17.370. WSR 09-02-021, § 390-16-071, filed 12/30/08, effective 1/30/09. Statutory Authority: RCW 42.17.370(1). WSR 02-01-015, § 390-16-071, filed 12/7/01, effective 1/7/02. Statutory Authority: RCW 42.17.370(1) and 42.17.180 (1)(h). WSR 98-01-062, § 390-16-071, filed 12/11/97, effective 1/11/98. Statutory Authority: RCW 42.17.390. WSR 95-01-074A, § 390-16-071, filed 12/16/94, effective 1/16/95; WSR 94-11-016, § 390-16-071, filed 5/5/94, effective 6/5/94.]

WAC 390-16-105 Mini campaign reporting—Eligibility. (1) A candidate or candidate's authorized committee, as those terms are defined in the act and these rules, is not required to comply with the provisions of RCW 29B.25.070 through 29B.25.100, except as otherwise prescribed in WAC 390-16-038, 390-16-115, and 390-16-125, if the committee selects the mini reporting option on its registration and meets both of the following conditions:

(a) Neither aggregate contributions nor aggregate expenditures exceed the amount of the candidate's filing fee provided by law plus a sum not to exceed $7,000; and

(b) No contribution or contributions from any person other than the candidate exceed $500 in the aggregate. However, a bona fide political party may pay the candidate's filing fee provided by law without that payment disqualifying that candidate from eligibility under this section.

(2) A political committee, as that term is defined in RCW 29B.10.420, is not required to comply with the provisions of RCW 29B.25.070 through 29B.25.100, except as otherwise prescribed in WAC 390-16-038, 390-16-115, and 390-16-125, if the committee selects the mini reporting option on its registration and meets both of the following conditions:

(a) Neither aggregate contributions nor aggregate expenditures exceed $7,000; and

(b) No contribution or contributions from any person exceed $500 in the aggregate.

(3) A continuing political committee, as that term is defined in the act and these rules, is not required to comply with the provisions of RCW 29B.25.070 through 29B.25.100, except as otherwise prescribed in WAC 390-16-038, 390-16-115, and 390-16-125, if the committee selects the mini reporting option on its registration and meets both of the following conditions:

(a) Neither aggregate contributions nor aggregate expenditures during a calendar year exceed $7,000; and

(b) No contribution or contributions from any person exceed $500 in the aggregate.

(4) A candidate or political committee that exceeds one or both of the thresholds set out in either subsection (1), (2), or (3) of this section after registering as a mini reporting campaign will no longer qualify for the mini reporting option and must comply with the provisions of Title 29B RCW including, but not limited to, disclosure of contributions and expenditures, disclosure of last minute contributions, applicable contribution limits, false political advertising, sponsor identification, and public inspection of campaign books of account.

(5) Candidates and political committees eligible for mini campaign reporting are required to comply with all applicable provisions of Title 29B RCW including, but not limited to, false political advertising, sponsor identification, and public inspection of campaign books of account unless specifically exempted under subsections (1) through (3) of this section.

[Statutory Authority: RCW 42.17A.110 and 2024 c 164. WSR 26-01-209, s 390-16-105, filed 12/24/25, effective 1/1/26. Statutory Authority: RCW 42.17A.110 and [42.17A.]125. WSR 23-12-036, § 390-16-105, filed 5/30/23, effective 6/30/23. Statutory Authority: RCW 42.17A.110(1), 2019 c 428, and 2019 c 261. WSR 20-02-062, § 390-16-105, filed 12/24/19, effective 1/24/20. Statutory Authority: RCW 42.17A.110(1) and 2018 c 304. WSR 18-24-074, § 390-16-105, filed 11/30/18, effective 12/31/18. Statutory Authority: RCW 42.17A.110(8). WSR 14-12-010, § 390-16-105, filed 5/22/14, effective 6/22/14. Statutory Authority: RCW 42.17A.110. WSR 12-03-002, § 390-16-105, filed 1/4/12, effective 2/4/12. Statutory Authority: RCW 42.17.370 (1) and (8). WSR 08-01-058, § 390-16-105, filed 12/14/07, effective 1/14/08. Statutory Authority: RCW 42.17.370. WSR 05-11-001, § 390-16-105, filed 5/4/05, effective 6/4/05. Statutory Authority: RCW 42.17.370(1). WSR 02-03-018, § 390-16-105, filed 1/4/02, effective 2/4/02. Statutory Authority: RCW 42.17.370. WSR 01-10-050, § 390-16-105, filed 4/26/01, effective 6/1/01. Statutory Authority: RCW 42.17.370(1). WSR 86-04-071 (Order 86-01), § 390-16-105, filed 2/5/86; Order 91, § 390-16-105, filed 7/22/77; Order 62, § 390-16-105, filed 8/26/75.]

WAC 390-16-111 Mini campaign reporting—Special fund-raising events. The term "any person" as used in WAC 390-16-105 does not mean a fund-raising activity conducted pursuant to RCW 29B.25.070. Candidates and committees using mini reporting as permitted under WAC 390-16-105 shall not be limited to receiving $500 from a fund-raising event provided that the payments from any person do not exceed $500 from all fund raising conducted during a campaign or calendar year.

[Statutory Authority: RCW 42.17A.110 and 2024 c 164. WSR 26-01-209, s 390-16-111, filed 12/24/25, effective 1/1/26. Statutory Authority: RCW 42.17A.110(1) and 2018 c 304. WSR 18-24-074, § 390-16-111, filed 11/30/18, effective 12/31/18. Statutory Authority: RCW 42.17A.110. WSR 12-03-002, § 390-16-111, filed 1/4/12, effective 2/4/12. Statutory Authority: RCW 42.17.370 (1) and (8). WSR 08-01-058, § 390-16-111, filed 12/14/07, effective 1/14/08. Statutory Authority: RCW 42.17.370. WSR 01-10-051, § 390-16-111, filed 4/26/01, effective 6/1/01; WSR 89-20-068, § 390-16-111, filed 10/4/89, effective 11/4/89. Statutory Authority: RCW 42.17.370(1). WSR 86-04-071 (Order 86-01), § 390-16-111, filed 2/5/86; Order 77, § 390-16-111, filed 6/2/76.]

WAC 390-16-115 Mini campaign reporting—Registration and record-keeping. The exemptions allowed in WAC 390-16-105 will be granted to a candidate or political committee, including a continuing political committee, only upon compliance with the following conditions:

(1) A candidate must file a C-1 registration with the commission within 14 days of first:

(a) Receiving contributions, making expenditures, reserving space or facilities or purchasing commercial advertising space or broadcast time to promote their candidacy;

(b) Giving the candidate's consent to another person to take any of the actions in (a) of this subsection on behalf of the candidate; or

(c) Announcing publicly or filing a declaration of candidacy with the appropriate elections official.

(2) A political committee must file a C-1pc registration with the commission within 14 days after its organization or after the date when it first has the expectation of receiving contributions or making expenditures in any election campaign, whichever is earlier.

(3) The statement filed under subsections (1) and (2) of this section must declare that the political committee will not exceed the contribution or expenditure limits set out in WAC 390-16-105.

(4) In addition to complying with subsections (2) and (3) of this section, a continuing political committee must also file a C-1pc between January 1st and January 31st for each year in which the committee intends to use the mini reporting system. Failure to file a new registration statement during January will automatically terminate the committee's entitlement to use the mini reporting system until such time as a new C-1pc is filed.

(5) A candidate or political committee using the mini reporting option must keep current records in sufficient detail to allow the candidate or political committee to make reports otherwise required by RCW 29B.25.020 through 29B.25.100 in the event that the filing of such reports becomes necessary as a result of exceeding the contribution or expenditure limitation pursuant to the provisions of WAC 390-16-125.

(6) The candidate or political committee treasurer must comply with the requirements for public inspection of campaign books pursuant to WAC 390-16-043.

[Statutory Authority: RCW 42.17A.110 and 2024 c 164. WSR 26-01-209, s 390-16-115, filed 12/24/25, effective 1/1/26. Statutory Authority: RCW 42.17A.110(1), 2019 c 428, and 2019 c 261. WSR 20-02-062, § 390-16-115, filed 12/24/19, effective 1/24/20. Statutory Authority:

RCW 42.17A.110(1) and 2018 c 304. WSR 18-24-074, § 390-16-115, filed 11/30/18, effective 12/31/18. Statutory Authority: RCW 42.17A.110. WSR 12-03-002, § 390-16-115, filed 1/4/12, effective 2/4/12. Statutory Authority: RCW 42.17.370(1). WSR 10-20-011, § 390-16-115, filed 9/24/10, effective 10/25/10. Statutory Authority: RCW 42.17.370 and 42.17.690. WSR 01-22-051, § 390-16-115, filed 10/31/01, effective 1/1/02. Statutory Authority: RCW 42.17.370. WSR 89-20-068, § 390-16-115, filed 10/4/89, effective 11/4/89. Statutory Authority: RCW 42.17.370(1). WSR 86-04-071 (Order 86-01), § 390-16-115, filed 2/5/86; WSR 82-14-016 (Order 82-04), § 390-16-115, filed 6/28/82; Order 62, § 390-16-115, filed 8/26/75.]

WAC 390-16-121 Mini reporting committees—Last minute committee registration. For purposes of compliance with WAC 390-16-115, a political committee organized within the last three weeks before an election and having the expectation of receiving contributions or making expenditures during and for that election, shall file the registration statement within three business days after its organization or when it first has the expectation of receiving contributions or making expenditures in the election campaign.

[Statutory Authority: RCW 42.17A.110(1) and 2018 c 304. WSR 18-24-074, § 390-16-121, filed 11/30/18, effective 12/31/18. Statutory Authority: RCW 42.17.370. WSR 89-20-068, § 390-16-121, filed 10/4/89, effective 11/4/89.]

WAC 390-16-125 Mini campaign reporting—Exceeding limitations. (1) A candidate or political committee wishing to change from mini to full reporting must apply electronically to the PDC for authorization to change reporting options before the limitations specified in WAC 390-16-105 are exceeded. A complete application must include all of the following documents:

(a) An amended registration statement (Form C-1 for candidates, Form C-1pc for political committees) selecting the full reporting option as provided in RCW 29B.25.070 through 29B.25.100;

(b) PDC forms C-3 and C-4 with relevant schedules and attachments disclosing all contributions and expenditures to date reportable under RCW 29B.25.100 for the election campaign, or in the case of continuing political committees, for the calendar year; and

(c)(i) If the applicant is a candidate, a statement affirming that all candidates registered with the PDC for the office being sought have been notified personally in writing of the application, and the manner and date of such notification;

(ii) If the applicant is the treasurer of a political committee supporting or opposing a ballot proposition, a statement affirming that all treasurers of all political committees registered with the commission as supporting or opposing the proposition have been notified personally in writing of the application, and the manner and date of such notification; or

(iii) If the applicant is the treasurer of a county or legislative district party committee, a statement affirming that the treasurer of that party committee's counterpart in any other major political party has been notified personally in writing of the application, and the manner and date of such notification.

(2) An application that is submitted without the required documents described in subsection (1) of this section is incomplete and will not be processed or approved. If the applicant provides the missing documents, the application will be determined to be complete on the date the documents are received by the commission.

(3) If a complete application is received by the PDC on or before August 31st for the general election or 30 business days prior to the date of other elections, the executive director will approve the application.

(4) If a complete application is received by the commission after the deadlines set out in subsection (3) of this section, the executive director will approve the application only if one or more of the following factors are present:

(a) The applicant is a candidate and, after the application deadline, a write-in opponent has filed for office in accordance with chapter 29A.24 RCW;

(b) After the application deadline, an independent expenditure as defined in RCW 29B.10.310 is made in support of the applicant's opponent or in opposition to the applicant; or

(c) When a candidate or political committee on one side of an election campaign or proposition has been approved to change reporting options under this section, each opponent of that candidate or political committee is approved to change options as of the date that opponent's complete application is received by the PDC.

(5) The executive director may approve an application to change reporting options after the aggregate contributions or aggregate expenditures specified in WAC 390-16-105 have been exceeded only if the applicant:

(a) Meets the deadlines provided in subsection (3) of this section;

(b) Acknowledges the violation and demonstrates compliance with WAC 390-16-105(4); and

(c) Takes any other action required by the PDC to address the violation.

[Statutory Authority: RCW 42.17A.110 and 2024 c 164. WSR 26-01-209, s 390-16-125, filed 12/24/25, effective 1/1/26. Statutory Authority: RCW 42.17A.110(1), 2019 c 428, and 2019 c 261. WSR 20-02-062, § 390-16-125, filed 12/24/19, effective 1/24/20. Statutory Authority: RCW 42.17A.110(1) and 2018 c 304. WSR 18-24-074, § 390-16-125, filed 11/30/18, effective 12/31/18. Statutory Authority: RCW 42.17A.110(8). WSR 14-12-010, § 390-16-125, filed 5/22/14, effective 6/22/14. Statutory Authority: RCW 42.17A.110. WSR 12-03-002, § 390-16-125, filed 1/4/12, effective 2/4/12. Statutory Authority: RCW 42.17.370 (1) and (8). WSR 08-01-058, § 390-16-125, filed 12/14/07, effective 1/14/08. Statutory Authority: RCW 42.17.370. WSR 05-11-001, § 390-16-125, filed 5/4/05, effective 6/4/05. Statutory Authority: RCW 42.17.370 and 42.17.690. WSR 01-22-051, § 390-16-125, filed 10/31/01, effective 1/1/02. Statutory Authority: RCW 42.17.370. WSR 92-18-002, § 390-16-125, filed 8/20/92, effective 9/20/92; WSR 92-05-079, § 390-16-125, filed 2/18/92, effective 3/20/92; WSR 90-16-083, § 390-16-125, filed 7/31/90, effective 8/31/90; WSR 89-20-068, § 390-16-125, filed 10/4/89, effective 11/4/89. Statutory Authority: RCW 42.17.370(1). WSR 86-04-071 (Order 86-01), § 390-16-125, filed 2/5/86; Order 91, § 390-16-125, filed 7/22/77; Order 67, § 390-16-125, filed 1/16/76; Order 62, § 390-16-125, filed 8/26/75.]

WAC 390-16-205 Expenditures by agents and agents' subvendors—How to report. (1) Expenditures made on behalf of a candidate or political committee by any person, agency, consultant, firm, organization, etc., employed or retained for the purpose of organizing, directing, managing or assisting the candidate's or committee's efforts shall be deemed expenditures by the candidate or committee. In accordance with WAC 390-16-037, such expenditures shall be reported by the candidate or committee as if made or incurred by the candidate or committee directly.

(2) If any person, agency, consultant, firm, organization, etc., employed or retained by the candidate or political committee, subcontracts or otherwise has an agreement with a subvendor or other third party to provide or perform services, the expenditures paid to that subvendor or other third party must also be disclosed.

(3) Fees paid to consultants or other agents must be disclosed by candidates or political committees as an expenditure. In addition, when subvendors are used, the candidate or political committee must disclose any portion of the expenditure retained by the consultant or other agent.

Example A: If a candidate or political committee pays a consultant $5,000 to prepare and mail a political advertising brochure, all costs associated with the project shall be itemized by identifying each service provided, subvendor(s) used and amount attributable to each:

Vendor Name	Purpose		Amount
Jones Consulting	Jones Consulting (fee)	$500	$5,500
	ABC Graphics	$1,200	
	XYZ Printing Co. (5,000 pieces)	$3,000	
	Your Mailhouse	$800	

Or, if Jones Consulting completes the project through a combination of services provided by its principals or employees and its subvendors:

Vendor Name	Purpose		Amount
Jones Consulting	Jones Consulting (fee)	$500	$5,500
	Jones Consulting (graphic design)	$1,200	
	XYZ Printing Co. (5,000 pieces)	$3,000	
	Your Mailhouse	$800	

Example B: If a candidate or political committee pays a consultant or other agent directly to perform tasks such as fund-raising, survey design or campaign plan development, and the consultant does not use subvendors, the expense shall be reported as follows:

Vendor Name	Purpose	Amount
Jones Consulting	Fund-raising, survey design, campaign plan development	$5,000

Example C: If an expenditure is made directly to a vendor to purchase broadcast political advertisement, the purpose shall include the following details for both the vendor and commercial advertiser:

Vendor Name	Purpose		Amount
Media King	Television ads		$51,000
	WZUB TV	$30,000	
	WXXX TV	$10,000	
	WCRB TV	$10,000	
	Media King (fee)	$1,000	

[Statutory Authority: RCW 42.17A.110(1) and 2018 c 304. WSR 18-24-074, § 390-16-205, filed 11/30/18, effective 12/31/18. Statutory Authority: RCW 42.17.370(1). WSR 04-01-128, § 390-16-205, filed 12/18/03, effective 1/18/04; Order 74, § 390-16-205, filed 4/26/76.]

WAC 390-16-206 Ratings and endorsements. (1) Any person making a measurable expenditure of funds to communicate a rating, evaluation, endorsement or recommendation for or against a candidate or ballot proposition shall report such expenditure including all costs of preparation and distribution in accordance with Title 29B RCW. However, rating, endorsement, or recommendation expenditures governed by the following provisions are not reportable: The news media exemptions provided in RCW 29B.10.160 (2)(d) and 29B.10.220 (2)(c), and WAC 390-16-313, and the political advertising exemption in WAC 390-05-290.

(2) A candidate or sponsor of a ballot proposition who, or a political committee which, is the subject of the rating, evaluation, endorsement or recommendation shall not be required to report such expenditure as a contribution unless the candidate, sponsor, committee or an agent thereof advises, counsels or otherwise encourages the person to make the expenditure.

[Statutory Authority: RCW 42.17A.110 and 2024 c 164. WSR 26-01-209, s 390-16-206, filed 12/24/25, effective 1/1/26. Statutory Authority: RCW 42.17A.110(1) and 2018 c 304. WSR 18-24-074, § 390-16-206, filed 11/30/18, effective 12/31/18. Statutory Authority: RCW 42.17A.110. WSR 12-03-002, § 390-16-206, filed 1/4/12, effective 2/4/12. Statutory Authority: RCW 42.17.370. WSR 08-06-061, § 390-16-206, filed 3/3/08, effective 4/3/08. Statutory Authority: RCW 42.17.370(1). WSR 86-08-030 (Order 86-02), § 390-16-206, filed 3/26/86; Order 84, § 390-16-206, filed 8/18/76.]

WAC 390-16-207 In-kind contributions—Explanation and reporting. (1) An in-kind contribution must be reported on the C-4 report. An in-kind contribution, as that term is used in the act and these rules, occurs when a person provides goods, services or anything of value, other than money or its equivalent, to a candidate or political committee free-of-charge or for less than fair market value, unless the item or service given is not a contribution according to RCW 29B.10.160 or WAC 390-17-405.

An in-kind contribution includes an expenditure that:

- Supports or opposes a candidate or a ballot measure;
- Meets the definition of contribution in RCW 29B.10.160 or WAC 390-05-210;
- Is an electioneering communication that is a contribution as provided in RCW 29B.30.030; and
- Is other than a monetary contribution made directly to a candidate or political committee.

For example, an in-kind contribution occurs when a person, after collaborating with a candidate or a candidate's agent, purchases space in a newspaper for political advertising supporting that candidate or opposing that candidate's opponent.

(2) According to RCW 29B.40.090 and WAC 390-16-238, a candidate may not use his or her campaign funds to make a contribution, including an in-kind contribution, to another candidate or a political committee. However, under RCW 29B.40.090, a candidate may use surplus funds as defined in RCW 29B.10.520 to make a contribution to a political party or caucus political committee.

(3) **Valuing in-kind contributions.**

(a) For purposes of determining the value of goods or services provided as in-kind contributions, refer to WAC 390-05-235 Definition ——Fair market value.

(b) If an expenditure that constitutes an in-kind contribution is made, the value of the in-kind contribution to a particular candidate or political committee is the portion of the expense that benefits the candidate or political committee.

(4) **In-kind contributions to recipients who have limits under RCW 29B.40.020 or 29B.40.030.**

(a) If a candidate receives in-kind contributions from any person valued at more than $25 in the aggregate for an election, the contribution is reportable by the giver and the recipient pursuant to chapter 29B.25 RCW and is subject to the applicable contribution limit provided in RCW 29B.40.020 or 29B.40.030.

(b) If a bona fide political party or legislative caucus committee receives in-kind contributions from any person valued at more than $25 in the aggregate during a calendar year, the contribution is reportable by the giver and the recipient pursuant to chapter 29B.25 RCW and is subject to the applicable contribution limit provided in RCW 29B.40.020.

(c) If an elected official against whom recall charges have been filed or a political committee supporting the recall of an elected official receives in-kind contributions from any person valued at more than $25 in the aggregate during a recall campaign, the contribution is reportable by the giver and the recipient pursuant to chapter 29B.25 RCW and is subject to the applicable contribution limits provided in RCW 29B.40.020 or 29B.40.030.

(5) **Political committees that make in-kind contributions.** Except as provided for in subsection (5) of this section, a political committee that makes in-kind contributions to a candidate or political committee totaling more than $50 in the aggregate during a reporting period must identify the recipient and the amount of the contribution as part of its C-4 report covering that period.

If the in-kind contribution is in the form of an expenditure that has been obligated, but not yet paid, the identity of the recipient candidate or political committee, along with a good faith estimate of

the value of the contribution, must be disclosed in part 3 of Schedule B, in addition to the other information required by the C-4 report. When the expense is paid, the recipient's name and the amount of the contribution must be disclosed on Schedule A, in addition to the other information required by the C-4 report.

If a political committee provides equipment, property or anything else of value owned, leased or controlled by it to a candidate or political committee, the contributing committee must attach a statement to its C-4 report showing the name of the candidate or political committee to whom the contribution was made and the date, description and fair market value of the in-kind contribution.

(6) **Reporting by recipients.** Except as provided in subsection (5) of this section, in-kind contributions from one source are not reportable by the recipient candidate or political committee until the aggregate value of all in-kind contributions received from that source during a reporting period is more than $50. If this threshold is met, the in-kind contributions must be reported in part 1 of Schedule B to the C-4 report covering that reporting period.

(7) **Application of RCW 29B.40.070—Last-minute contributions.**

(a) If an expenditure that constitutes an in-kind contribution is made no later than 22 days before a general election and written notice of the in-kind contribution is in the possession of the recipient candidate committee or political committee 22 or more days before that general election, the contribution is not subject to the respective $7,500 or $75,000 maximum amounts specified in RCW 29B.40.070.

(b) If an in-kind contribution is in the form of personal services donated to a campaign for the duration of the 21 days before a general election, and if written notice of the value of this donation is in the possession of the recipient candidate or political committee 22 or more days before the election, that in-kind contribution is not subject to the respective $7,500 or $75,000 maximum amounts specified in RCW 29B.40.070.

[Statutory Authority: RCW 42.17A.110 and 2024 c 164. WSR 26-01-209, s 390-16-207, filed 12/24/25, effective 1/1/26. Statutory Authority: RCW 42.17A.110, 42.17A.125, 42.17A.615, and 42.17A.640. WSR 24-01-028, § 390-16-207, filed 12/8/23, effective 1/8/24. Statutory Authority: RCW 42.17A.110(1) and 2018 c 304. WSR 18-24-074, § 390-16-207, filed 11/30/18, effective 12/31/18. Statutory Authority: RCW 42.17A.110. WSR 12-03-002, § 390-16-207, filed 1/4/12, effective 2/4/12. Statutory Authority: RCW 42.17.370. WSR 09-01-068, § 390-16-207, filed 12/12/08, effective 1/12/09. Statutory Authority: RCW 42.17.370 and 42.17.562. WSR 06-11-132, § 390-16-207, filed 5/23/06, effective 6/23/06. Statutory Authority: RCW 42.17.370(1). WSR 04-12-054, § 390-16-207, filed 5/28/04, effective 6/28/04; WSR 98-12-034, § 390-16-207, filed 5/28/98, effective 6/28/98. Statutory Authority: RCW 42.17.390. WSR 94-11-016, § 390-16-207, filed 5/5/94, effective 6/5/94. Statutory Authority: RCW 42.17.370. WSR 93-22-002, § 390-16-207, filed 10/20/93, effective 11/20/93; WSR 93-16-064, § 390-16-207, filed 7/30/93, effective 8/30/93. Statutory Authority: RCW 42.17.370(1). WSR 86-04-071 (Order 86-01), § 390-16-207, filed 2/5/86; WSR 82-14-016 (Order 82-04), § 390-16-207, filed 6/28/82; Order 79, § 390-16-207, filed 6/25/76.]

WAC 390-16-221 Tangible property—Definition. (1) All contributions received by a political committee or candidate are subject to the requirements of RCW 29B.40.090 and 29B.40.130 whether or not the committee converts the contribution to a different form, e.g., the purchase of tangible property from monetary contributions.

(2) For the purpose of this rule, tangible property includes but is not limited to real property and improvements thereto; furniture, office desks, file cabinets, tables and machines, vehicles, printing and duplicating equipment, and computer hardware and software.

[Statutory Authority: RCW 42.17A.110 and 2024 c 164. WSR 26-01-209, s 390-16-221, filed 12/24/25, effective 1/1/26. Statutory Authority: RCW 42.17A.110. WSR 12-03-002, § 390-16-221, filed 1/4/12, effective 2/4/12. Statutory Authority: RCW 42.17.370(1). WSR 86-04-071 (Order 86-01), § 390-16-221, filed 2/5/86.]

WAC 390-16-226 Loans. (1) Only loans which are recorded in a written loan agreement executed at the time of the loan and properly reported may be repaid by a candidate or political committee. Surplus campaign funds under RCW 29B.10.520 and 29B.40.090 may only be used to return a contribution to the candidate if the contribution was properly reported as a loan from the candidate, as described in subsections (2) and (3).

(2) If any person gives or loans the candidate funds in connection with his or her campaign, the funds are not considered personal funds of the candidate. See WAC 390-17-305. Such funds are considered a contribution from the original source of the contribution under chapter 29B.25 RCW *and*, unless the loan meets the exemption provided in RCW 29B.40.170(3) and this subsection, the contribution is subject to the contribution limits provided in chapter 29B.40 RCW, as adjusted by WAC 390-05-400.

(a) If a candidate or candidate's own political committee or campaign or authorized committee receives a loan from a commercial lending institution, the loan is exempt from the contribution limits of RCW 29B.40.020 and WAC 390-16-310, as adjusted by WAC 390-05-400, only if all the following criteria are met:

(i) The loan is not guaranteed by any other person;

(ii) The loan is made in the regular course of business; and,

(iii) The loan is made on the same terms ordinarily available to the public.

(b) A commercial loan to a candidate's own committee or campaign or authorized committee is presumed to be guaranteed by the candidate. The presumption is rebuttable by clear, cogent and convincing evidence.

(3) The amount of campaign contributions which may be used to repay a loan made by the candidate to the candidate's own political committee or campaign, or to repay a commercial loan to a candidate's own political committee or campaign where the candidate is the borrower or guarantor, is limited to the loan repayment limit in RCW 29B.40.130(3) as adjusted by WAC 390-05-400. For purposes of the loan repayment limit, these loans are aggregated for each primary, general, special or recall election and must be designated accordingly by the candidate at the time the loan is made.

(4) If a candidate makes documented out-of-pocket campaign expenditures on behalf of their campaign expecting repayment (not intending

to make an in-kind contribution), the campaign committee must repay the candidate within 21 days of the expenditure or the candidate will be deemed to have made a loan to his or her campaign committee which must qualify for repayment under subsections (1) and (2) in order for the candidate to be repaid. Undocumented out-of-pocket campaign expenditures by the candidate are in-kind contributions not eligible for repayment.

[Statutory Authority: RCW 42.17A.110 and 2024 c 164. WSR 26-01-209, s 390-16-226, filed 12/24/25, effective 1/1/26. Statutory Authority: RCW 42.17A.110 and [42.17A.]125. WSR 23-12-036, § 390-16-226, filed 5/30/23, effective 6/30/23. Statutory Authority: RCW 42.17A.110(1) and 2018 c 304. WSR 18-24-074, § 390-16-226, filed 11/30/18, effective 12/31/18. Statutory Authority: RCW 42.17A.110. WSR 12-03-002, § 390-16-226, filed 1/4/12, effective 2/4/12. Statutory Authority: RCW 42.17.370(1). WSR 02-03-018, § 390-16-226, filed 1/4/02, effective 2/4/02; WSR 00-22-056, § 390-16-226, filed 10/27/00, effective 11/27/00. Statutory Authority: RCW 42.17.370. WSR 93-16-064, § 390-16-226, filed 7/30/93, effective 8/30/93.]

WAC 390-16-230 Surplus campaign funds—Use in future. (1) If after the last day of the election cycle for candidates as defined in RCW 29B.10.210 any contribution is received or an expenditure is made from surplus funds for any purpose which would qualify the recipient or person who made the expenditure as a candidate or political committee, it will be presumed the recipient or person who made the expenditure of such funds has initiated a new candidacy or committee. Surplus funds may only be expended for a new candidacy if the candidate is seeking the same office sought at the candidate's last election. Within 14 days of the day such contribution is received or expenditure is made, such candidate or political committee must file (a) a final report for the previous campaign as provided in RCW 29B.25.090 and 29B.25.100; and (b) a statement of organization and initial report for the new campaign as provided by RCW 29B.25.020, 29B.25.090, and 29B.25.100. The surplus funds may be carried forward to the new campaign, reported as one sum and listed as a contribution identified as "funds from previous campaign." All augmentations to and all expenditures made from the retained surplus funds after the last day of the election cycle must be reported in detail as to source, recipient, purpose, amount and date of each transaction.

(2) For candidates as defined in RCW 29B.10.090, if at any time after the last day of the election cycle, any contribution is received or expenditure is made from such surplus funds for any purpose which would qualify the recipient or person who made the expenditure as a candidate or authorized committee, it will be presumed the recipient or person who made the expenditure of such funds has initiated a new candidacy or committee. Surplus funds may only be expended for a new candidacy if the candidate is seeking the same office sought at the candidate's last election. Within 14 days of the day such contribution is received or expenditure is made, such candidate or authorized committee must file (a) a final report for the previous campaign as provided in RCW 29B.25.090 and 29B.25.100; and (b) a statement of organization and initial report for the new campaign as provided by RCW 29B.25.020, 29B.25.090, and 29B.25.100. The surplus funds as of the last day of the election cycle may be carried forward to the new cam-

paign, reported as one sum and listed as a contribution identified as "funds from previous campaign." "Funds from previous campaign" carried forward by a candidate to the candidate's new campaign are not subject to contribution limits set forth in RCW 29B.40.020.

(3) A political committee formed to support or oppose a particular ballot proposition or particular candidates which retains surplus funds to use in support or opposition of other candidates or of other ballot propositions has become a continuing political committee and must thereafter register and report in accordance with chapter 29B.25 RCW.

[Statutory Authority: RCW 42.17A.110 and 2024 c 164. WSR 26-01-209, s 390-16-230, filed 12/24/25, effective 1/1/26. Statutory Authority: RCW 42.17A.110(1), 2019 c 428, and 2019 c 261. WSR 20-02-062, § 390-16-230, filed 12/24/19, effective 1/24/20. Statutory Authority: RCW 42.17A.110(1) and 2018 c 304. WSR 18-24-074, § 390-16-230, filed 11/30/18, effective 12/31/18. Statutory Authority: RCW 42.17A.110. WSR 12-03-002, § 390-16-230, filed 1/4/12, effective 2/4/12. Statutory Authority: RCW 42.17.370. WSR 07-07-005, § 390-16-230, filed 3/8/07, effective 4/8/07; WSR 93-22-002, § 390-16-230, filed 10/20/93, effective 11/20/93; WSR 93-16-064, § 390-16-230, filed 7/30/93, effective 8/30/93. Statutory Authority: RCW 42.17.370(1). WSR 86-04-071 (Order 86-01), § 390-16-230, filed 2/5/86; WSR 82-14-016 (Order 82-04), § 390-16-230, filed 6/28/82; Order 70, § 390-16-230, filed 2/25/76; Order 62, § 390-16-230, filed 8/26/75.]

WAC 390-16-232 Same office last sought. A candidate is considered to be seeking the "same office last sought," as that term is used in RCW 29B.40.090, when the candidate seeks:

(1) The identical office last sought; or

(2) A different position or seat of the same office last sought within the same jurisdiction; or

(3) The same office, whether a different seat or position, in a revised district or political subdivision whenever the boundaries of a district or political subdivision are officially altered through redistricting, consolidation or other official procedure.

[Statutory Authority: RCW 42.17A.110 and 2024 c 164. WSR 26-01-209, s 390-16-232, filed 12/24/25, effective 1/1/26. Statutory Authority: RCW 42.17A.110. WSR 12-03-002, § 390-16-232, filed 1/4/12, effective 2/4/12. Statutory Authority: RCW 42.17.370. WSR 93-16-064, § 390-16-232, filed 7/30/93, effective 8/30/93.]

WAC 390-16-234 Transfers of candidate funds. (1) Candidates are encouraged to directly pay to a vendor their proportionate share of joint campaign expenses. When separate, direct payments are not possible, one candidate may transfer campaign funds to another candidate without violating RCW 29B.40.090(8): Provided, That:

(a) The transferred funds are used exclusively for the joint expenditure;

(b) The amount may not exceed the prorated share attributable to the candidate who transfers the funds;

(c) The funds are transferred within two business days of the expenditure;

(d) Any transferred funds not used for the joint expenditure are returned no later than one business day after the expenditure is made; and

(e) The purpose of the transferred funds is timely disclosed as would be required for a direct expenditure.

(2) Candidate surplus funds may be transferred without limit to a bona fide political party or to a caucus political committee.

(3) Except as provided in subsections (1) and (2) of this section, no candidate or candidate's authorized committee may transfer surplus or nonsurplus funds to any other candidate or political committee.

[Statutory Authority: RCW 42.17A.110 and 2024 c 164. WSR 26-01-209, s 390-16-234, filed 12/24/25, effective 1/1/26. Statutory Authority: RCW 42.17A.110. WSR 17-01-161, § 390-16-234, filed 12/21/16, effective 1/21/17; WSR 12-03-002, § 390-16-234, filed 1/4/12, effective 2/4/12. Statutory Authority: RCW 42.17.370. WSR 02-23-001, § 390-16-234, filed 11/6/02, effective 12/7/02; WSR 93-16-064, § 390-16-234, filed 7/30/93, effective 8/30/93.]

WAC 390-16-236 Surplus funds accounts—Disclosure. (1) **Registering a surplus funds account.**

(a) Any person who opens an account into which surplus funds will be deposited shall register the account by filing PDC Form C-1, Candidate Registration with the commission. The committee name on the C-1 will be the name used by the campaign committee that raised the surplus funds followed by the designation, "surplus funds account." The C-1 must identify by name the treasurer of the account and the bank or depository where the account is held.

(b) The C-1 must be filed within two weeks after the date the account is opened.

(2) **Depositing surplus funds.**

(a) After a surplus funds account is established, a candidate may deposit into the account all surplus funds from subsequent campaigns.

(b) Only surplus funds may be deposited in a surplus funds account.

(c) A candidate who deposits surplus funds into a surplus funds account discloses an expenditure of campaign funds with the description "transfer to surplus funds account," the amount transferred, and the date the transfer occurred.

(3) **Reporting surplus funds expenditures.**

(a) The treasurer shall file with the commission a report on the 10th day of each month detailing expenditures made in the preceding calendar month. This report need only be filed if the total expenditures made since the last such report exceeded $750. The report shall be on PDC Form C-4, Campaign Summary Receipt & Expenditures.

(b) The treasurer shall file reports as required by (a) of this subsection until the account is closed, at which time a final report shall be filed.

(c) All reports filed disclosing expenditures from the surplus funds account shall be certified as correct by the treasurer.

[Statutory Authority: RCW 42.17A.110 and [42.17A.]125. WSR 23-12-036, § 390-16-236, filed 5/30/23, effective 6/30/23. Statutory Authority: RCW 42.17A.110(1) and 2018 c 304. WSR 18-24-074, § 390-16-236, filed

11/30/18, effective 12/31/18. Statutory Authority: RCW 42.17A.110 and 42.17A.240(11). WSR 17-01-160, § 390-16-236, filed 12/21/16, effective 1/21/17.]

WAC 390-16-238 Personal use of contributions—Standard. (1) Except as specifically allowed by Title 29B RCW, any expenditure of a candidate's campaign funds that is not directly related to the candidate's election campaign is a personal use of campaign funds prohibited under RCW 29B.40.130.

(2) An expenditure of a candidate's campaign funds will be considered personal use if it fulfills or pays for any commitment, obligation or expense that would exist irrespective of the candidate's election campaign.

(3) If an activity or expenditure is both personal and campaign-related, the campaign may pay no more than the fair market value of its share of the activity or expenditure. For example, if a candidate incurs costs for child care, the campaign may reimburse the candidate only for any portion of the expense that occurred directly as a result of the candidate's campaign activities. Also, if a candidate uses a personal vehicle for campaign purposes, the campaign may reimburse the candidate for:

(a) The prorated share of documented gasoline, maintenance and insurance costs directly related to the campaign's usage of the vehicle; or

(b) The standard mileage rate established by the Internal Revenue Service for those documented miles directly related to the campaign's usage.

(4) Examples of expenditures presumed to be for personal use include, but are not limited to:

(a) Mortgage, rent, utility, telephone, or maintenance expenses for personal living accommodations;

(b) Clothing purchases and maintenance expenses not related to the campaign;

(c) Automobile expenses not related to the campaign;

(d) Travel expenses not related to the campaign;

(e) Household food items;

(f) Restaurant expenses except for in-person fund-raising or campaign organizational activities;

(g) Tuition payments not related to the campaign;

(h) Admission to sporting events, concerts, theaters, or other forms of entertainment unless the event is primarily related to the candidate's campaign;

(i) Club membership fees, dues and payments;

(j) Health club or recreational facility membership fees, dues and payments;

(k) Social, civic, or professional membership dues, fees and payments unless the expenditure occurs during an election year and membership is required to gain access to the organization's mailing list for campaign purposes or other facilities for the candidate's campaign;

(l) Home or business internet service provider costs;

(m) Home or business newspaper and periodical subscriptions;

(n) Greeting cards to persons who would customarily receive such cards (e.g., family, friends and business associates).

[Statutory Authority: RCW 42.17A.110 and 2024 c 164. WSR 26-01-209, s 390-16-238, filed 12/24/25, effective 1/1/26. Statutory Authority: RCW 42.17A.110(1), 2019 c 428, and 2019 c 261. WSR 20-02-062, § 390-16-238, filed 12/24/19, effective 1/24/20. Statutory Authority: RCW 42.17A.110(1) and 2018 c 304. WSR 18-24-074, § 390-16-238, filed 11/30/18, effective 12/31/18. Statutory Authority: RCW 42.17A.110. WSR 12-03-002, § 390-16-238, filed 1/4/12, effective 2/4/12. Statutory Authority: RCW 42.17.370(1). WSR 04-12-055, § 390-16-238, filed 5/28/04, effective 6/28/04. Statutory Authority: RCW 42.17.390. WSR 94-07-141, § 390-16-238, filed 3/23/94, effective 4/23/94.]

WAC 390-16-240 Earmarked contributions—Definition and use. (1) Earmarked contributions, as that term is used in RCW 29B.25.150 and 29B.40.160, means any contribution given to an intermediary or conduit, either a political committee, candidate or third party, with a designation, instruction, or encumbrance, whether direct or indirect, express or implied, oral or written, which is intended to result in or which does result in all or any part of the contribution being made to or for the promotion of a certain candidate, state official, or ballot proposition.

(2) For purposes of RCW 29B.40.020 and 29B.40.030, an earmarked contribution is deemed to be for the promotion of, and attributable to any limit applicable to the candidate, authorized committee, bona fide political party, caucus of the state legislature or political committee designated by the original contributor.

(3) If an earmarked contribution is given to an intermediary or conduit to be spent on behalf of a candidate and the entire amount given is not used for this purpose, the remainder of the contribution shall be given to the designated candidate unless its use is redesignated by the original contributor. If the conduit or intermediary exercises any direction or control over the use of the remainder of the contribution, then the amount of the remainder shall be considered a contribution from the original contributor and the conduit or intermediary to the recipient.

(4) The intermediary or conduit receiving the earmarked contribution shall notify the candidate or political committee for whose use or benefit the contribution is designated within two business days after receipt of the contribution.

(5) If an earmarked contribution is refused by the designated recipient candidate or political committee, the earmarked contribution must be returned by the intermediary or conduit to the original contributor within five business days of refusal.

[Statutory Authority: RCW 42.17A.110 and 2024 c 164. WSR 26-01-209, s 390-16-240, filed 12/24/25, effective 1/1/26. Statutory Authority: RCW 42.17A.110(1) and 2018 c 304. WSR 18-24-074, § 390-16-240, filed 11/30/18, effective 12/31/18. Statutory Authority: RCW 42.17A.110. WSR 17-03-028, § 390-16-240, filed 1/6/17, effective 2/6/17; WSR 12-03-002, § 390-16-240, filed 1/4/12, effective 2/4/12. Statutory Authority: RCW 42.17.370. WSR 93-16-064, § 390-16-240, filed 7/30/93, effective 8/30/93; WSR 91-14-041, § 390-16-240, filed 6/27/91, effective 7/28/91.]

WAC 390-16-245 Pledges. (1) "Pledge," as that term is used in the act and these rules, means a promise to make a future contribution. A pledge shall not be made or redeemed within 21 days of an election specified in RCW 29B.40.070 if the amount of the pledge or redemption exceeds the maximum amount provided in RCW 29B.40.070, as adjusted by WAC 390-05-400. However, if payment of a pledge is in the possession of the recipient 22 or more days before the election, that payment may be deposited into the campaign account within five business days of receipt in accordance with RCW 29B.25.060.

(2) If a pledge is made in an election campaign subject to the contribution limits provided in RCW 29B.40.020 and 29B.40.030, as adjusted by WAC 390-05-400:

(a) Except as provided in WAC 390-17-302, a pledge made with respect to the primary election shall not be made or redeemed after the date of the primary; however, if the payment of a pledge is made on or before the date of the primary, that payment may be deposited into the campaign account within five business days of receipt in accordance with RCW 29B.25.060; and

(b) A pledge made with respect to the general election shall not be made or redeemed after the final day of the applicable election cycle; however, if the payment of a pledge is made on or before the final day of the election cycle, that payment may be deposited into the campaign account within five business days of receipt in accordance with RCW 29B.25.060.

(3) During the time limit specified in RCW 29B.45.020, a state official or a person employed by or acting on behalf of a state official shall not solicit or accept a pledge or the redemption of a pledge for any purpose specified in RCW 29B.45.020.

[Statutory Authority: RCW 42.17A.110 and 2024 c 164. WSR 26-01-209, s 390-16-245, filed 12/24/25, effective 1/1/26. Statutory Authority: RCW 42.17A.110 and [42.17A.]125. WSR 23-12-036, § 390-16-245, filed 5/30/23, effective 6/30/23. Statutory Authority: RCW 42.17A.110(1) and 2018 c 304. WSR 18-24-074, § 390-16-245, filed 11/30/18, effective 12/31/18. Statutory Authority: RCW 42.17A.110. WSR 12-03-002, § 390-16-245, filed 1/4/12, effective 2/4/12. Statutory Authority: RCW 42.17.370. WSR 03-12-033, § 390-16-245, filed 5/29/03, effective 6/29/03. Statutory Authority: RCW 42.17.390. WSR 94-07-141, § 390-16-245, filed 3/23/94, effective 4/23/94.]

WAC 390-16-307 Contributions by controlled entities. (1) **Corporations.** Two or more entities are treated as a single entity if one of the two or more entities is a subsidiary, branch or department of a corporation that is participating in an election campaign or making contributions.

(2) A corporation is participating in an election campaign if it:

(a) Makes either a monetary or an in-kind contribution to a candidate;

(b) Makes an independent expenditure or electioneering communication;

(c) Endorses a candidate prior to contributions being made by a subsidiary, branch or department of the corporation with respect to a candidate or that candidate's opponent;

(d) Makes a recommendation regarding whether a candidate should be supported or opposed prior to a contribution being made by a subsidiary, branch or department of the corporation; or

(e) Directly or indirectly collaborates or consults with its subsidiary, branch or department on matters relating to the support of or opposition to a candidate, including the amount of a contribution, when a contribution should be given, or what assistance, services or independent expenditures, or electioneering communications, if any, will be made or should be made in support of or opposition to a candidate.

(3) **Trade associations, labor unions, collective bargaining organizations.** Two or more entities are treated as a single entity if one of the two or more entities is a local unit or branch of a trade association, labor union or collective bargaining association that is participating in an election campaign or making contributions.

(4) A trade association, labor union or collective bargaining organization is participating in an election campaign if it:

(a) Makes either a monetary or in-kind contribution to a candidate;

(b) Makes an independent expenditure or electioneering communication;

(c) Endorses a candidate prior to contributions being made by a local unit or branch of the association, union or organization with respect to a candidate or that candidate's opponent;

(d) Makes a recommendation regarding whether a candidate should be supported or opposed prior to a contribution being made by a local unit or branch of the association, union or organization; or

(e) Directly or indirectly collaborates or consults with its local unit or branch on matters relating to the support of or opposition to a candidate, including the amount of a contribution, when a contribution should be given, or what assistance, services or independent expenditures, or electioneering communications, if any, will be made or should be made in support of or opposition to a candidate.

[Statutory Authority: RCW 42.17A.110(1) and 2018 c 304. WSR 18-24-074, § 390-16-307, filed 11/30/18, effective 12/31/18. Statutory Authority: RCW 42.17.370 and 42.17.562. WSR 06-11-132, § 390-16-307, filed 5/23/06, effective 6/23/06.]

WAC 390-16-308 Identification of source of contribution. Any person who makes a contribution shall inform the candidate or treasurer, at the time the contribution is made, of the true and actual source of funds from which the contribution is made. To identify the source of a contribution received by check or other written instrument in the absence of other information, a candidate or treasurer shall apply the following:

Provided, that in cases where the source of the contribution is known and differs from the guidelines set forth below, the known source of the contribution shall be reported;

Provided further, that contributions made through an intermediary or conduit or transmitted by an intermediary shall identify the true and actual source of the funds.

(1) A contribution drawn upon a single account shall be attributed to the account holder as identified by the name printed on the face of the check or negotiable instrument.

(2) A contribution drawn upon a joint account shall be attributed in equal proportion to each of the account holders as identified by the names printed on the face of the check or negotiable instrument

unless the candidate or treasurer is notified in writing that the contribution should be allocated in different proportions.

(3) A contribution made by a sole proprietor or drawn upon the account of a business which is a sole proprietorship shall be attributed to the owner of the business entity.

(4) A contribution drawn upon the account of a partnership shall be attributed to the partnership as a separate entity except that any check drawn upon the partnership account but which is to be paid from the capital account of one or more individual partners shall identify at the time of transmittal to the candidate or treasurer the name(s) of the contributing partner(s) and shall be attributed to the contributing partner(s).

(5) A contribution drawn upon the account of a corporation, union, association or other organization shall be attributed to the corporation, union, association or other organization as a separate entity unless that entity is affiliated with another entity pursuant to WAC 390-16-309 in which case a contribution from one of those entities is attributed to both entities.

[Statutory Authority: RCW 42.17A.110(1) and 2018 c 304. WSR 18-24-074, § 390-16-308, filed 11/30/18, effective 12/31/18. Statutory Authority: RCW 42.17.370(1). WSR 02-03-018, § 390-16-308, filed 1/4/02, effective 2/4/02. Statutory Authority: RCW 42.17.390. WSR 94-11-016, § 390-16-308, filed 5/5/94, effective 6/5/94. Statutory Authority: RCW 42.17.370. WSR 93-04-072, § 390-16-308, filed 1/29/93, effective 3/1/93; WSR 91-14-041, § 390-16-308, filed 6/27/91, effective 7/28/91; WSR 90-20-088, § 390-16-308, filed 9/28/90, effective 10/29/90.]

WAC 390-16-309 Identification of affiliated entities. (1) Two or more entities are treated as a single person and share one contribution limit under RCW 29B.40.020 and 29B.40.030, as adjusted by WAC 390-05-400, if one of the entities is:

(a) A corporation and the other is a subsidiary, branch or division of the corporation;

(b) A national or international labor union, or state body of such national or international labor union, and the other is a local union or other subordinate organization of such national or international labor union or state body;

(c) A trade association or state body of such trade association and the other is a branch or local unit of such trade association;

(d) A national or state collective bargaining organization and the other is a branch or local unit of such national or state collective bargaining organization;

(e) A national or international federation of labor unions, or a state federation of labor unions, and the other is a local body of such federation;

(f) A membership organization and the other is a local unit or branch of such membership organization;

(g) Any entity referenced in (a) through (f) above and a political committee established, financed, maintained or controlled by that entity.

(2) For purposes of RCW 29B.40.020 and 29B.40.030, two entities shall not be treated as a single entity solely because one of the entities is a dues paying member of the other entity.

(3) In addition to subsection (1) of this section, two or more entities shall be treated as one entity and share a contribution limit

under RCW 29B.40.020 and 29B.40.030, as adjusted by WAC 390-05-400, if one of the entities is established, financed, maintained or controlled by the other, as evidenced by any one or more of the following factors:

(a) Whether one entity owns a controlling interest in the voting stock or securities of another entity; or

(b) Whether one entity has authority or the ability to direct or participate, other than through a vote as a member, in the governance of another entity through provisions of constitution, bylaws, contract or other formal or informal procedure or has authority or the ability to hire, appoint, demote or otherwise control, other than through a vote as a member, the officers or other decision making employees or members of another entity; or

(c) Whether (i) one entity has a common or overlapping membership with another which indicates either a formal or ongoing relationship between the two organizations or the creation of a successor entity; and (ii) the entity has an active or significant role in the formation of the other entity; and (iii) the entities have similar patterns of contributions or contributors which indicate a formal or ongoing relationship between the entities; or

(d) Whether one entity provides, causes or arranges, funds, services or goods in a significant amount or on an ongoing basis, through direct or indirect means to the other entity, for less than full consideration. Full consideration includes the payment of membership dues.

[Statutory Authority: RCW 42.17A.110 and 2024 c 164. WSR 26-01-209, s 390-16-309, filed 12/24/25, effective 1/1/26. Statutory Authority: RCW 42.17A.110 and [42.17A.]125. WSR 23-12-036, § 390-16-309, filed 5/30/23, effective 6/30/23. Statutory Authority: RCW 42.17A.110(1) and 2018 c 304. WSR 18-24-074, § 390-16-309, filed 11/30/18, effective 12/31/18. Statutory Authority: RCW 42.17A.110. WSR 12-03-002, § 390-16-309, filed 1/4/12, effective 2/4/12. Statutory Authority: RCW 42.17.370(1). WSR 10-20-012, § 390-16-309, filed 9/24/10, effective 10/25/10. Statutory Authority: RCW 42.17.390. WSR 94-11-016, § 390-16-309, filed 5/5/94, effective 6/5/94.]

WAC 390-16-310 Limitations on contributions. The limitations on contributions as provided in RCW 29B.40.070, 29B.40.020, and 29B.40.030, as adjusted by WAC 390-05-400, are as follows:

(1)(a) The limitation on contributions in RCW 29B.40.020 or 29B.40.030, as adjusted by WAC 390-05-400, do not apply to a "candidate" as that term is defined in RCW 29B.10.090 when the candidate is contributing to the candidate's own campaign using the candidate's own personal funds as defined in WAC 390-17-305.

(b) The limitation on contributions in RCW 29B.40.070, 29B.40.020, or 29B.40.030, as adjusted by WAC 390-05-400, apply to contributions to the candidate from the candidate's spouse, domestic partner or other immediate family members.

(2) Contributions by spouses are considered separate contributions. Contributions by domestic partners are considered separate contributions.

(3) Emancipated minor children (children under 18 years of age) may make contributions which do not exceed the limitations on contributions and the contribution is properly attributed to the emancipated minor child if:

(a) The decision to contribute is made knowingly and voluntarily by the emancipated minor child;

(b) The funds, goods, or services contributed are owned or controlled exclusively by the emancipated minor child, such as income earned by the child, the proceeds of a trust for which the child is the beneficiary, or a savings account opened and maintained exclusively in the child's name; and

(c) The contribution is not made from the proceeds of a gift, the purpose of which was to provide funds to be contributed, or is not in any other way controlled by another person.

Contributions by emancipated minor children which do not meet these requirements and contributions by unemancipated minor children will be considered contributions by the child's parents. Fifty percent of the contributions will be attributed to each parent, or in the case of a single custodial parent, the total amount is attributed to that parent.

(4) Contributions from a business organized as a sole proprietorship and contributions from the owner of the sole proprietorship must be aggregated for purposes of determining the limitations of contributions under RCW 29B.40.070, 29B.40.020, or 29B.40.030, as adjusted by WAC 390-05-400.

(5) The limitations on contributions apply separately to the contributions made by a partnership, limited liability partnership and limited liability corporation from the contributions made by an individual partner or member. However, contributions made from or charged against the capital account of an individual partner, or member of a limited liability partnership or limited liability corporation must be aggregated with the partner's or member's individual contributions for purposes of determining the limitations on contributions under RCW 29B.40.070, 29B.40.020, or 29B.40.030, as adjusted by WAC 390-05-400.

(6) The limitations on contributions in RCW 29B.40.070, 29B.40.020, and 29B.40.030, as adjusted by WAC 390-05-400, apply separately to the contributions made by an entity (corporation, subsidiary or branch, national union and local unions, collective bargaining organizations and local units, membership organizations and local units and other organizations and their local units) unless the criteria in RCW 29B.40.150 and WAC 390-16-309 are met.

[Statutory Authority: RCW 42.17A.110 and 2024 c 164. WSR 26-01-209, s 390-16-310, filed 12/24/25, effective 1/1/26. Statutory Authority: RCW 42.17A.110 and [42.17A.]125. WSR 23-12-036, § 390-16-310, filed 5/30/23, effective 6/30/23. Statutory Authority: RCW 42.17A.110(1), 2019 c 428, and 2019 c 261. WSR 20-02-062, § 390-16-310, filed 12/24/19, effective 1/24/20. Statutory Authority: RCW 42.17A.110(1) and 2018 c 304. WSR 18-24-074, § 390-16-310, filed 11/30/18, effective 12/31/18. Statutory Authority: RCW 42.17A.110. WSR 12-03-002, § 390-16-310, filed 1/4/12, effective 2/4/12. Statutory Authority: RCW 42.17.370. WSR 09-09-126, § 390-16-310, filed 4/22/09, effective 5/23/09; WSR 05-06-070, § 390-16-310, filed 3/1/05, effective 4/1/05. Statutory Authority: RCW 42.17.370(1). WSR 96-05-001, § 390-16-310, filed 2/7/96, effective 3/9/96. Statutory Authority: RCW 42.17.390. WSR 94-11-016, § 390-16-310, filed 5/5/94, effective 6/5/94. Statutory Authority: RCW 42.17.370. WSR 93-16-064, § 390-16-310, filed 7/30/93, effective 8/30/93; WSR 92-05-079, § 390-16-310, filed 2/18/92, effective 3/20/92; WSR 90-20-088, § 390-16-310, filed 9/28/90, effective 10/29/90.]

WAC 390-16-312 Handling contributions of uncertain origin. No contribution shall be deposited by any candidate or treasurer who believes, from the face of the contribution instrument or for any other reason, the contribution was made in a fictitious name, by one person through an agent, relative, political committee, or any other person so as to conceal the source of the contribution or to exceed the contribution limits provided in RCW 29B.40.070, 29B.40.020, or 29B.40.030, as adjusted by WAC 390-05-400, or otherwise violate the act. The candidate or treasurer shall return such contributions within 10 days to the original contributor if his or her identity is known. Otherwise, the contribution instrument shall be endorsed and made payable to "Washington state treasurer" and the contribution sent to the commission for deposit in the state's general fund.

[Statutory Authority: RCW 42.17A.110 and 2024 c 164. WSR 26-01-209, s 390-16-312, filed 12/24/25, effective 1/1/26. Statutory Authority: RCW 42.17A.110 and [42.17A.]125. WSR 23-12-036, § 390-16-312, filed 5/30/23, effective 6/30/23. Statutory Authority: RCW 42.17A.110(1) and 2018 c 304. WSR 18-24-074, § 390-16-312, filed 11/30/18, effective 12/31/18. Statutory Authority: RCW 42.17A.110. WSR 17-03-028, § 390-16-312, filed 1/6/17, effective 2/6/17; WSR 12-03-002, § 390-16-312, filed 1/4/12, effective 2/4/12. Statutory Authority: RCW 42.17.370. WSR 93-16-064, § 390-16-312, filed 7/30/93, effective 8/30/93; WSR 91-14-041, § 390-16-312, filed 6/27/91, effective 7/28/91.]

WAC 390-16-320 Candidates in small political subdivisions—Reporting. (1) As provided in RCW 29B.25.010 and 29B.20.070(7), a candidate for election in any political subdivision must fully report if the candidate receives $7,000 or more in contributions or expects to receive $7,000 or more in contributions during an election cycle.

(2) It is presumed the candidate "expects to receive" $7,000 or more when any one of the following first occurs:

(a) The candidate or candidate's authorized committee receives at least $7,000 in aggregate contributions, including contributions from the candidate;

(b) The candidate is seeking the same office last sought, the candidate's election is in the current calendar year, and the candidate's campaign contributions in the previous election for the same office were $7,000 or more in the aggregate;

(c) The contributions received on or before March 31st of the election year total $1,250 or more;

(d) The contributions received on or before June 30th of the election year total $2,500 or more;

(e) The contributions received on or before September 30th of the election year total $3,750 or more; or

(f) The candidate otherwise anticipates that $7,000 or more will be received during the election cycle.

(3) Surplus funds carried over from a candidate's previous campaign are not contributions to the candidate's new campaign and do not count toward the $7,000 reporting threshold.

(4) A candidate or candidate's authorized committee that receives, or expects to receive, $7,000 or more must:

(a) Within two weeks of the date the reporting obligation begins under subsection (1) or (2) of this section, file:

(i) A candidate registration, PDC C-1 Report;

(ii) A personal financial affairs statement, PDC F1 Report and, if relevant, the F1 Supplement; and

(iii) Contribution and expenditure reports, PDC C3 and C4 reports with appropriate attachments and schedules; and

(b) Otherwise comply with the campaign finance reporting and other provisions of Titles 29B RCW and 390 WAC.

[Statutory Authority: RCW 42.17A.110 and 2024 c 164. WSR 26-01-209, s 390-16-320, filed 12/24/25, effective 1/1/26. Statutory Authority: RCW 42.17A.110 and [42.17A.]125. WSR 23-12-036, § 390-16-320, filed 5/30/23, effective 6/30/23. Statutory Authority: RCW 42.17A.110(1), 2019 c 428, and 2019 c 261. WSR 20-02-062, § 390-16-320, filed 12/24/19, effective 1/24/20. Statutory Authority: RCW 42.17A.110(1) and 2018 c 304. WSR 18-24-074, § 390-16-320, filed 11/30/18, effective 12/31/18. Statutory Authority: RCW 42.17A.110. WSR 12-03-002, § 390-16-320, filed 1/4/12, effective 2/4/12. Statutory Authority: RCW 42.17.370. WSR 07-08-044, § 390-16-320, filed 3/28/07, effective 4/28/07.]

WAC 390-16-325 Dissolution of committees. (1) Dissolution is the process by which a committee officially ceases doing business, pursuant to RCW 29B.25.070 and 29B.25.090. Dissolution does not relieve the candidate, elected official, or officers from any obligations to address violations that occurred before the committee was dissolved.

(2) To initiate dissolution, the committee must file a notice of intent to dissolve.

(3) The official report for filing a notice of intent to dissolve a committee is designated "D-1." The D-1 must be filed using the electronic filing system provided by the commission. The commission is required to post each committee's notice of intent to dissolve on the commission website upon receipt.

(4) On the D-1 Report, the candidate or authorized committee officer must attest to the following:

(a) The committee has concluded its activities in all respects and has ceased to function and intends to dissolve;

(b) The committee has no outstanding debts or obligations, will not make any expenditure other than those related to the dissolution process, and will not engage in any political activity or any other activity that generates additional reporting requirements;

(c) The committee has filed a final report;

(d) No complaint or court action under Title 29B RCW is pending against the committee and it has not been informed by the commission of any possible violations or technical corrections which remain unresolved;

(e) The committee has no outstanding penalties under Title 29B RCW as assessed by the commission or a court;

(f) The committee accepts an ongoing obligation to maintain compliance with these conditions and an affirmative duty to notify the commission of any noncompliance; and

(g) The treasurer is obligated to preserve books of account, bills, receipts, and all other financial records for five years.

(5) If, 60 days after a committee has filed its D-1, the committee is in compliance with the above requirements and has not notified

the commission in writing that it revokes its intent to dissolve, the committee will be deemed to be dissolved.

(6) The executive director will promptly acknowledge by electronic writing the committee's dissolution. The acknowledgment of dissolution will be posted on the commission's website when sent to the committee.

(7) If the committee has not met the requirements for dissolution, the executive director will promptly notify the committee by electronic writing that it is not eligible to dissolve, and explain the reasons for its ineligibility. The committee may initiate the process again once it has come into compliance with the requirements.

[Statutory Authority: RCW 42.17A.110 and 2024 c 164. WSR 26-01-209, s 390-16-325, filed 12/24/25, effective 1/1/26. Statutory Authority: RCW 42.17A.110(1), 2019 c 428, and 2019 c 261. WSR 20-02-062, § 390-16-325, filed 12/24/19, effective 1/24/20. Statutory Authority: RCW 42.17A.110(1) and 2018 c 304. WSR 18-24-074, § 390-16-325, filed 11/30/18, effective 12/31/18.]

WAC 390-16-330 Prohibited financing and involvement by foreign nationals. (1) **Prohibited financing by foreign nationals.**

(a) For purposes of RCW 29B.40.050, and throughout Title 29B RCW, a contribution, expenditure, political advertising, or electioneering communication is "financed in any part by a foreign national" if the funding source includes anything of value greater than a de minimis amount provided by a foreign national for less than full consideration. Such value may include, but is not limited to, a loan, gift, deposit, subscription, forgiveness of indebtedness, donation, advance, pledge, payment, transfer of funds, or goods and services.

(b) A contribution, expenditure, political advertising, or electioneering communication is not "financed in any part by a foreign national" if the person making the contribution or expenditure, or sponsoring the advertisement or communication, is an individual citizen or legal permanent resident using their own personal funds.

(c) A contribution, expenditure, political advertising, or electioneering communication is not "financed in any part by a foreign national" if:

(i) The funding source is the general treasury of a membership organization, such as a trade association or labor union, not otherwise qualifying as a political committee, which includes funding from regular and predetermined membership dues;

(ii) Any additional funding of the general treasury is not from a foreign national, as provided in (a) of this subsection; and

(iii) The organization can demonstrate through a reasonable accounting method that the general treasury has sufficient funds to finance the contribution, expenditure, advertisement, or communication, apart from the aggregate amount of any membership dues received from foreign national members of the organization.

(d) Any funding from a foreign national, as provided in (a) of this subsection, and except as excluded under (b) or (c) of this subsection, must be segregated, using a reasonable accounting method, from the funding source used to finance a contribution, expenditure, advertisement, or communication. Funding from a foreign national may not be used to supplant, replace, or replenish the funding source for the contribution, expenditure, advertisement, or communication.

(2) **Prohibited decision-making involvement by foreign nationals.**

(a) For purposes of RCW 29B.40.050, and throughout Title 29B RCW, a foreign national is "involved in making decisions regarding the contribution, expenditure, political advertising, or electioneering communication in any way" if the foreign national directs, dictates, controls, or directly or indirectly participates in the decision-making process regarding the financing any such contribution, expenditure, advertisement, or communication.

(b) In addition to the criteria under (a) of this subsection, a foreign national is involved in the decision-making regarding a contribution, expenditure, political advertising, or electioneering communication made by an entity that is a subsidiary, branch, unit, or division of a foreign national, or otherwise established, financed, maintained, or controlled by a foreign national, if the foreign national has:

(i) Made an endorsement or recommendation to support or oppose the same candidate or ballot proposition; or

(ii) Directly or indirectly collaborated or consulted with the entity on matters relating to the support of or opposition to the same candidate or ballot proposition.

[Statutory Authority: RCW 42.17A.110 and 2024 c 164. WSR 26-01-209, s 390-16-330, filed 12/24/25, effective 1/1/26. Statutory Authority: RCW 42.17A.110, 42.17A.240, 42.17A.250, 42.17A.255, 42.17A.260, 42.17A.265 and 42.17A.305. WSR 21-08-047, § 390-16-330, filed 4/2/21, effective 5/3/21.]

WAC 390-16-335 Certification for contributions from entities—Prohibited activity by foreign nationals. (1) The certification required for a candidate or political committee to accept each contribution from a partnership, association, corporation, organization, or other combination of persons must be received in writing, either:

(a) By the date the report including the contribution is due, or within 10 business days, whichever is later; or

(b) Within 30 days from the date the contribution is received, so long as the candidate or committee separates uncertified contributions using reasonable accounting methods, to prevent commingling with other contributions, until the certification is received.

(2) Any uncertified contribution must be refunded or returned by the applicable deadline in subsection (1) of this section. The failure to timely refund or return an uncertified contribution constitutes a violation of Title 29B RCW.

(3) A single certification may apply to future contributions within the same election cycle if the certification provides, in addition to the requirements under subsection (5) of this section, a statement that:

(a) Future contributions included in the certification will be part of a regularly scheduled transaction cycle, and funded from the same source as the original contribution; and

(b) The entity will provide a separate certification for any additional contribution that does not meet the criteria of (a) of this subsection.

(4) A candidate or political committee is not required to obtain a certification for:

(a) A contribution from a political committee if the contributing committee is:

(i) Currently registered with the commission at the time the contribution is received, and reporting its contributions received; and

(ii) Entirely funded through contributions received; or

(b) Any in-kind contribution from an entity, that in the aggregate within the same reporting period, does not exceed $50.

(5) Candidate or political committees may make certifications available to entities for electronic or other written submission. Certifications may include the suggested format below, or a different format that includes the following information:

(a) The name of the entity making the contribution and the authorized agent;

(b) A statement that the entity is not a foreign national, as defined in RCW 29B.10.250;

(c) A statement that the contribution is not financed in any part by a foreign national;

(d) A statement that foreign nationals were not involved in making decisions regarding the contribution in any way;

(e) The amount of the contribution and the date it was made; and

(f) The date the certification was submitted.

Certification that Contribution Is Not From a Foreign National

I certify that the entity _____

(name of entity) making this contribution is not organized under the laws of, and does not have its principal place of business in, a foreign country. This contribution is not financed in any part by a foreign national, and foreign nationals were not involved in making decisions regarding the contribution in any way.

Amount of Contribution:

Date of Contribution:

Name of Authorized Agent:

Date Submitted:

[Statutory Authority: RCW 42.17A.110 and 2024 c 164. WSR 26-01-209, s 390-16-335, filed 12/24/25, effective 1/1/26. Statutory Authority: RCW 42.17A.110, 42.17A.240, 42.17A.250, 42.17A.255, 42.17A.260, 42.17A.265 and 42.17A.305. WSR 21-08-047, § 390-16-335, filed 4/2/21, effective 5/3/21.]