

Chapter 390-14 WAC
ACCESS TO PUBLIC RECORDS OF THE PUBLIC DISCLOSURE COMMISSION

Last Update: 2/6/18

WAC

390-14-011	Purpose of this chapter—To implement the Public Records Act and describe the commission.
390-14-015	Public records officer.
390-14-020	Procedures and hours for inspecting and copying records.
390-14-025	How do I make a public records request for commission records under the Public Records Act?
390-14-026	Access goals to campaign and lobbying reports.
390-14-027	How will my public records request be processed?
390-14-028	How are responsive public records produced?
390-14-030	What are the charges for inspecting or copying public records?
390-14-035	What records are exempt from public inspection and copying?
390-14-040	What happens if my public records request is denied?
390-14-045	What is the records index?
390-14-100	List of elected public officials.
390-14-110	List of elected public officials—Name not on list, impact.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

390-14-010	Public records available. [Order 62, § 390-14-010, filed 8/26/75.] Repealed by WSR 85-15-020 (Order 85-03), filed 7/9/85. Statutory Authority: RCW 42.17.370(1).
390-14-055	Record request form. [Statutory Authority: RCW 42.17.370. WSR 92-24-015, § 390-14-055, filed 11/20/92, effective 12/21/92; Order 62, § 390-14-055, filed 8/26/75.] Repealed by WSR 99-12-051, filed 5/27/99, effective 6/27/99. Statutory Authority: RCW 42.17.370(1).
390-14-105	List of elected public officials—Responsibility for developing. [Statutory Authority: RCW 42.17.370(1). WSR 85-15-020 (Order 85-03), § 390-14-105, filed 7/9/85; Order 62, § 390-14-105, filed 8/26/75.] Repealed by WSR 99-12-052, filed 5/27/99, effective 6/27/99. Statutory Authority: RCW 42.17.370(1).

WAC 390-14-011 Purpose of this chapter—To implement the Public Records Act and describe the commission. (1) The purpose of chapter 390-14 WAC is to establish the commission's procedures to provide full access to its public records and to implement the provisions of the Public Records Act under chapter 42.56 RCW for the commission.

(2) The commission implements and enforces chapter 42.17A RCW, the laws governing campaign finance, lobbying, reporting by public treasurers, and personal financial affairs disclosures. A description of the commission organization, general operations and procedures is under chapter 390-12 WAC. More information is located on its website at www.pdc.wa.gov. The commission does not implement or enforce the Public Records Act for other public agencies.

(3) If you wish to obtain general information or copies of records, you do not need to submit a formal public records request. You will often find such information on the commission's website, or you may make an informal routine inquiry by contacting the commission office.

(a) The commission is a disclosure agency. The commission is required to operate a website. Therefore, the commission routinely places numerous categories of records on its website. You are strongly encouraged to review the website prior to making a public records request. The website provides records and other information that can be viewed at no cost, including: The agency's organizational chart; contact information; statutes; rules and rule-making activity; final orders; enforcement case information and records; declaratory orders; interpretive statements; external policies; manuals; fact books; brochures; videos; commission meeting agendas, materials, and minutes; strategic plans; reports; campaign finance data, reports, and forms; lobbying data, reports and forms; other forms and reports; news releases; and, filer information. Information on the website is updated regularly.

(b) You may also contact the commission office to make an informal routine inquiry for a record.

(i) For example, informal routine inquiries generally seek a particular form, brochure, manual, report, lobbyist directory, or other similar readily available record specifically filed or created for the public under chapter 42.17A RCW and they can often be responded to on the same or next business day by providing the record. Informal routine inquiries do not seek a record that includes any exempt information, require any clarification, require providing records in installments, or require a search of different types of agency records or records sent to storage. In addition, informal routine inquiries do not provide any fair notice that the inquiry is a formal public records request submitted under the Public Records Act under chapter 42.56 RCW.

(ii) If your informal routine inquiry concerns a record or information on the commission's website, agency staff may direct you to its online location.

(iii) Informal routine inquiries are not subject to the time periods or other procedures in the Public Records Act.

(4) If you want to make a formal request for a record under the Public Records Act, see WAC 390-14-025.

[Statutory Authority: RCW 42.56.100, 42.56.040, and 42.17A.110. WSR 12-18-015, § 390-14-011, filed 8/24/12, effective 9/24/12.]

WAC 390-14-015 Public records officer. (1) The commission's public records officer is responsible for implementing the commission's rules regarding release of public records, coordinating the staff of the commission in this regard, and insuring the agency's compliance with the public records disclosure requirements of chapter 42.56 RCW. In fulfilling these responsibilities, the public records officer may contact you to confirm receipt of your request. Depending upon the nature of the request, the public records officer may also do any of the following: Contact you to clarify your request, if needed, and let you know whether the records will be provided in one or more installments; contact you to provide you an estimate of time for further response; notify other persons or agencies of your request; oversee the search for potentially responsive records and the review of whether any information in the records may be exempt from disclosure; make arrangements with you for inspection, copying, payment, and pick-up or delivery of the records; or deny your request.

(2) You may contact the public records officer through any of the following means:

- By email at pdcc@pdcc.wa.gov;
- In writing at P.O. Box 40908, 711 Capitol Way, Room 206, Evergreen Plaza Building, Olympia, Washington 98504-0908;
- By facsimile at 360-753-1112;
- By telephone at 360-753-1111, toll-free 1-877-601-2828.

(3) The name of the current public records officer is on file with the code reviser in accordance with RCW 42.56.580 and is published in the *Washington State Register* which is available online at www.leg.wa.gov/codereviser.

[Statutory Authority: RCW 42.56.100, 42.56.040, and 42.17A.110. WSR 12-18-015, § 390-14-015, filed 8/24/12, effective 9/24/12. Statutory Authority: RCW 42.17A.110. WSR 12-03-002, § 390-14-015, filed 1/4/12,

effective 2/4/12. Statutory Authority: RCW 42.17.370(1). WSR 99-12-057, § 390-14-015, filed 5/27/99, effective 6/27/99; WSR 85-15-020 (Order 85-03), § 390-14-015, filed 7/9/85; Order 62, § 390-14-015, filed 8/26/75.]

WAC 390-14-020 Procedures and hours for inspecting and copying records.

(1) You can inspect and copy public records in the commission office during customary business hours. Customary business hours are typically 8:00 a.m. to 5:00 p.m. Monday through Friday, excluding legal holidays or other days the agency is closed. Contact the public records officer to make arrangements for inspection or copying of records at the commission office.

(2) Records and information posted on the commission website are available to you at any time for inspection and copying from your personal computer or computer terminals publicly available, such as public libraries. A public computer terminal is available in the commission office for you to inspect commission website records. The terminal is available on a no cost, first-come, first-served basis.

(3) The commission will take reasonable actions to protect records from damage and disorganization while records are being inspected and copied including, but not limited to, the following:

(a) If you seek time at the commission office to inspect records, or if more than one person wants to use the agency's public computer terminal to inspect records on the commission's website, the public records officer will work with you to provide a schedule. The schedule will take into account the space or time needed to inspect the records, any staff assistance needed, and other demands on the agency.

(b) You may not remove public records from the area the public records officer makes available for inspection. The public records officer has the discretion to designate the means and the location for the inspection of records.

(c) Inspection of any public record must be conducted in the presence of a designated agency employee.

(d) Public records may not be marked or altered in any manner during inspection.

(e) After inspection is complete, the public records officer or designee will make requested copies or arrange for copying and pickup or delivery. Copying and mailing charges apply. See WAC 390-14-030.

(f) Public records that are maintained in a file or jacket, or in chronological order, may not be dismantled except by a designated agency employee for purposes of copying.

(g) Depending upon the specific nature or scope of the request, the public records officer may make other arrangements or provide other procedures to provide full public access to public records, protect public records from damage or disorganization, and prevent excessive interference with other essential functions of the agency or unreasonable disruption of the agency. The public records officer may take into account the volume of records responsive to your request, the availability of staff, and other factors. Such procedures may include making records available on a partial or installment basis.

[Statutory Authority: RCW 42.56.100, 42.56.040, and 42.17A.110. WSR 12-18-015, § 390-14-020, filed 8/24/12, effective 9/24/12. Statutory Authority: RCW 42.17.370(1). WSR 99-12-058, § 390-14-020, filed 5/27/99, effective 6/27/99; WSR 85-15-020 (Order 85-03), § 390-14-020, filed 7/9/85; Order 62, § 390-14-020, filed 8/26/75.]

WAC 390-14-025 How do I make a public records request for commission records under the Public Records Act? (1) Making a public records request. You may make a request to inspect or copy public records in person by completing the public records request form, or by sending the form or a letter, fax or email to the public records officer.

The commission office is located at 711 Capitol Way, Room 206, Evergreen Plaza Building, Olympia, Washington. The mailing address is: Public Disclosure Commission, P.O. Box 40908, Olympia, Washington 98504-0908. Telephone number: 360-753-1111. Toll-free telephone number: 1-877-601-2828. Facsimile number: 360-753-1112. Email: pdc@pdc.wa.gov. Mark your request to the attention of the public records officer. Include contact information such as your name, address, email address and telephone number, or other contact information. Your request must identify the public records requested, the date of your request, and describe whether you want copies or if you want only to inspect the records.

(2) **Form.** A public records request form is available for you at the commission office and online at www.pdc.wa.gov.

(3) **Email requests.**

(a) Send your email request to pdc@pdc.wa.gov. Do not send your request to other commission email addresses. This procedure helps the agency see your request so it can respond timely. Include the information described in subsection (1) of this section. Email requests sent to agency email addresses other than pdc@pdc.wa.gov will not be considered a public records request under chapter 42.56 RCW but will be responded to as an informal routine inquiry or a general request for information.

(b) Public records requests received via email after regular business hours or on nonbusiness days will be considered received the next business day.

(4) **Making oral requests.** To avoid misunderstandings about what records you seek, you are strongly encouraged to make a public records request in writing. If you make an oral request, the public records officer will ask you to confirm it before beginning to process it. Your request will be processed after the agency verifies your request in writing.

(5) **Records posted on the commission website.** You are strongly encouraged to review the commission's website at www.pdc.wa.gov prior to making a request to see if the records you seek are already posted.

(6) **Assistance.** Whenever you request assistance in making a public records request, the public records officer will assist you in identifying the appropriate public record.

[Statutory Authority: RCW 42.17A.110(1), 42.56.040 (1)(d), and 42.56.120 as amended by 2017 c 304 § 3. WSR 18-04-106, § 390-14-025, filed 2/6/18, effective 3/9/18. Statutory Authority: RCW 42.56.100, 42.56.040, and 42.17A.110. WSR 12-18-015, § 390-14-025, filed 8/24/12, effective 9/24/12. Statutory Authority: RCW 42.17A.110. WSR 12-03-002, § 390-14-025, filed 1/4/12, effective 2/4/12. Statutory Authority: RCW 42.17.370(1). WSR 02-03-018, § 390-14-025, filed 1/4/02, effective 2/4/02; WSR 99-12-059, § 390-14-025, filed 5/27/99, effective 6/27/99; WSR 85-15-020 (Order 85-03), § 390-14-025, filed 7/9/85; Order 64, § 390-14-025, filed 11/25/75; Order 62, § 390-14-025, filed 8/26/75.]

WAC 390-14-026 Access goals to campaign and lobbying reports.

The commission sets the following goals for access to all reports, copies or reports, or copies of data or information included in reports, filed under RCW 42.17A.205, 42.17A.225, 42.17A.235, 42.17A.255, 42.17A.265, 42.17A.600, 42.17A.615, 42.17A.625, and 42.17A.630.

(1) In January of 2001, when reports are filed with the commission, staff will endeavor to make the report available as follows:

(a) Submitted by electronic means:

(i) Available in the commission office within two business days and;

(ii) Available on the commission website within four business days.

(b) Submitted on paper:

(i) Available in the commission office within four business days and;

(ii) Available on the commission website within seven business days.

(2) In January of 2002, when reports are filed with the commission, staff will endeavor to make the report available as follows:

(a) Submitted by electronic means available in the commission office and on the commission website within two business days and;

(b) Submitted by paper, available in the commission office and on the commission website within four business days.

[Statutory Authority: RCW 42.17A.110. WSR 12-03-002, § 390-14-026, filed 1/4/12, effective 2/4/12. Statutory Authority: RCW 42.17.370(1). WSR 00-22-058, § 390-14-026, filed 10/27/00, effective 11/27/00.]

WAC 390-14-027 How will my public records request be processed?

(1) The public records officer may confirm receipt of your request for public records within five business days. Depending upon the nature of the request, the public records officer may also take any of the steps listed in WAC 390-14-015. A search for potentially responsive records begins when the public records officer determines that your request seeks clearly identifiable records. The public records officer may determine that a search can begin when the records you seek are clearly identifiable in the text of your initial request, or when you have provided the officer adequate clarification about your request.

(2) The commission will generally provide records in the format you request, to the extent feasible and reasonable and within current resources. If the commission cannot provide the records to you in the format you request, the commission at its option may provide the records in another format. See WAC 390-14-028. The commission may provide records in a format in which the record is maintained by the commission for its business purposes. The commission is not required to create new records in order to respond to your request. The public records officer will explain why any records are withheld in whole or in part. See WAC 390-14-035. You must pay applicable charges for records you receive. See WAC 390-14-030. There is no cost to you for inspecting records at the commission office or on the website.

(3) The public records officer will close your request when:

(a) You have been provided the requested records;

(b) You withdraw the request or ask that the processing end; or

(c) You fail to:

(i) Provide clarification or otherwise respond to the public records officer when requested;

- (ii) Inspect or pay for an installment of records; or
- (iii) Pay any requested deposit.

[Statutory Authority: RCW 42.56.100, 42.56.040, and 42.17A.110. WSR 12-18-015, § 390-14-027, filed 8/24/12, effective 9/24/12.]

WAC 390-14-028 How are responsive public records produced? (1)

Providing electronic records. The commission may provide records to you electronically or may provide paper copies. The following general procedures apply to production of electronic copies:

(a) Records provided on the commission's website have been provided to you electronically. The commission will not provide those records in another electronic format. The public records officer will identify the link to the website location of the records you request.

(b) If you request an electronic record that is not on the website and not reasonably translatable into the format you request, or the commission cannot provide the record in electronic format you request, then at the commission's option either:

(i) Electronic copies will be provided to you in a format currently used by the commission; or

(ii) Paper copies will be provided to you.

(c) The commission does not have an obligation to convert an electronic record to a digital format that is different than a format maintained by the commission.

(d) The commission does not have an obligation to purchase additional software, equipment, licenses or other items to respond to your requests for records.

(2) **Exempt information in electronic records.** When electronic records you request require redaction to withhold exempt information and redactions cannot be provided electronically, or the records are contained in a database or program that contains exempt or proprietary information, the commission may provide you paper copies with any redactions noted on those copies.

[Statutory Authority: RCW 42.17A.110(1), 42.56.040 (1)(d), and 42.56.120 as amended by 2017 c 304 § 3. WSR 18-04-106, § 390-14-028, filed 2/6/18, effective 3/9/18. Statutory Authority: RCW 42.56.100, 42.56.040, and 42.17A.110. WSR 12-18-015, § 390-14-028, filed 8/24/12, effective 9/24/12.]

WAC 390-14-030 What are the charges for inspecting or copying public records? (1)

The commission does not charge a fee for the inspection of public records made available in the commission office or on the commission website.

(2) The commission does not charge a fee for locating public records and making them available to you for copying.

(3)(a) The commission may charge fees for production of copies of public records consistent with the fee schedule established in RCW 42.56.120.

(b) Pursuant to RCW 42.56.120(2), the commission declares for the following reasons that it would be unduly burdensome for it to calculate the actual costs it charges for providing copies of public records: Funds were not allocated by the legislature for performing a study to calculate such actual costs and the agency lacks the necessa-

ry funds to perform a study and to calculate costs; and a study would interfere with and disrupt other essential agency functions.

(4) Before beginning to make copies, the public records officer may require you to deposit up to ten percent of the estimated costs of copying and transmitting the records responsive to your request. The public records officer may also require you to pay the remainder of the copying costs before providing you all the records, or require you to pay the costs of providing an installment of records before providing you that installment. If you do not retrieve or pay for an installment of records within the time frame set by the public records officer, the balance of the request will not be fulfilled and your request will be closed.

[Statutory Authority: RCW 42.17A.110(1), 42.56.040 (1)(d), and 42.56.120 as amended by 2017 c 304 § 3. WSR 18-04-106, § 390-14-030, filed 2/6/18, effective 3/9/18. Statutory Authority: RCW 42.56.100, 42.56.040, and 42.17A.110. WSR 12-18-015, § 390-14-030, filed 8/24/12, effective 9/24/12. Statutory Authority: RCW 42.17.370(1). WSR 99-12-060, § 390-14-030, filed 5/27/99, effective 6/27/99; WSR 85-15-020 (Order 85-03), § 390-14-030, filed 7/9/85; WSR 82-18-031 (Order 82-06), § 390-14-030, filed 8/25/82; WSR 82-05-001 (Order 82-01), § 390-14-030, filed 2/4/82; Order 62, § 390-14-030, filed 8/26/75.]

WAC 390-14-035 What records are exempt from public inspection and copying?

(1) The public records officer may redact information from any record prior to permitting public inspection or copying if the information is exempt from disclosure according to RCW 42.56.210, another section of chapter 42.56 RCW or other applicable law. After such information is redacted, the remainder of the record may be made available. It is possible a record may be withheld in its entirety.

(2) If the agency denies all or part of your request, you will be provided a written statement specifying the reason for the denial, including a statement of the specific exemption authorizing the withholding of the record and a brief explanation of how the exemption applies to the record withheld.

(3) Examples of exemptions that the agency may cite include, but are not limited to: Records related to a pending investigation (RCW 42.56.240(1)); records protected by the attorney client privilege or attorney work product (RCW 42.56.290 and 5.60.060); personal information in any files maintained for employees, appointees or elected officials to the extent that disclosure would violate their right to privacy (RCW 42.56.230); and bank account, credit card or similar numbers (RCW 42.56.230).

(4) During the course of any investigation, records generated or collected as a result of that investigation are exempt from public inspection and copying under RCW 42.56.240(1), until the investigation is completed. See WAC 390-37-060(4).

(5) If you make a request for a record that implicates the privacy of an individual as defined in RCW 42.56.050, the agency may provide written notice of the request to allow the individual to request a protective order from a court under chapter 42.56 RCW.

(6) The commission is required by law to return certain documents provided to the commission by candidates, campaigns, or political committees within one week of the completion of an audit or field inves-

tigation; therefore, those records may not be in the agency's possession if a records request is made after that time. See RCW 42.17A.105.

(7) The agency is prohibited by RCW 42.56.070 from disclosing lists of individuals for commercial purposes. If you request such records you may be required to sign an affidavit attesting that you will not use those records for commercial purposes.

(8) The commission may, in its discretion, release requested records despite the applicability of exemptions, if it determines that it is in the public interest and that the rights of third parties will not be prejudiced. This provision does not apply to releases of lists of individuals for commercial purposes.

[Statutory Authority: RCW 42.56.100, 42.56.040, and 42.17A.110. WSR 12-18-015, § 390-14-035, filed 8/24/12, effective 9/24/12. Statutory Authority: RCW 42.17A.110. WSR 12-03-002, § 390-14-035, filed 1/4/12, effective 2/4/12. Statutory Authority: RCW 42.17.370(1). WSR 99-12-061, § 390-14-035, filed 5/27/99, effective 6/27/99; WSR 85-15-020 (Order 85-03), § 390-14-035, filed 7/9/85; Order 62, § 390-14-035, filed 8/26/75.]

WAC 390-14-040 What happens if my public records request is denied?

(1) If you object to the denial of all or part of your request for a public record you may petition the commission chair for prompt review of such decision by submitting a written request for review to the public records officer. Your request for review must be in writing and address the specific reasons given by the agency when it denied your original public records request. Because of the risk of misunderstandings in oral communications, the commission will not consider an oral request for review.

(2) The public records officer will immediately refer your written request for review of a decision denying a public record to the chair of the commission or the chair's designee. The chair or chair's designee will immediately consider the matter and either affirm or reverse, in whole or in part, such denial or call a special meeting of the commission as soon as legally possible to review the denial. In any case, the agency will provide you with a final decision within two business days following your petition for review of the original denial in accordance with RCW 42.56.520 unless you and the agency agree to a longer time period for this review.

(3) The agency may also consider, and you are encouraged to consider, using alternative dispute resolution mechanisms to address the issues in your request for review.

(4) If the agency denies you access to public records because it claims the record is exempt in whole or in part from disclosure, you may request the attorney general's office to review the matter under RCW 42.56.530. See WAC 44-06-160.

(5) You may seek court review of a denial of a public records request under RCW 42.56.550 beginning two business days after the agency initially denies your request, regardless of any internal administrative appeal.

[Statutory Authority: RCW 42.56.100, 42.56.040, and 42.17A.110. WSR 12-18-015, § 390-14-040, filed 8/24/12, effective 9/24/12. Statutory Authority: RCW 42.17A.110. WSR 12-03-002, § 390-14-040, filed 1/4/12, effective 2/4/12. Statutory Authority: RCW 42.17.370(1). WSR 99-12-062, § 390-14-040, filed 5/27/99, effective 6/27/99. Statutory

Authority: RCW 42.17.390. WSR 94-05-010, § 390-14-040, filed 2/3/94, effective 3/6/94. Statutory Authority: RCW 42.17.370(1). WSR 85-15-020 (Order 85-03), § 390-14-040, filed 7/9/85; Order 62, § 390-14-040, filed 8/26/75.]

WAC 390-14-045 What is the records index? (1) The commission has implemented an indexing system for the identification and location of the following records:

(a) All records issued before July 1, 1990, for which the commission has maintained an index.

(b) Final adjudicative orders and declaratory orders issued after June 30, 1990, that contain an analysis or decision of substantial importance to the commission in carrying out its duties.

(c) Interpretive and policy statements issued after June 30, 1990.

(2) Final and declaratory orders are evaluated by the executive director or executive director's designee. Those orders which are determined to have substantial importance are indexed and posted on the agency's website.

(3) Final orders are indexed by the name of the person against whom the order was issued and by citation to the law involved.

(4) Declaratory orders are indexed by number, subject matter, phrase describing the issue or holding and citation to the law involved.

(5) Interpretive statements and policy statements are indexed by number and subject matter and are available on the agency's website.

(6) Most indexes are available online and the indexes are available for public inspection and copying weekdays, excluding legal holidays or other days the agency is closed, between 8:00 a.m. and 5:00 p.m. at the Public Disclosure Commission, 711 Capitol Way, Room 206, Evergreen Plaza Building, Olympia, Washington 98504-0908.

(7) The indexes are updated periodically. In addition to the indexing system, the commission also maintains and continually updates its website at www.pdc.wa.gov, which includes commission rules, manuals and brochures; commission meeting agendas and materials; historical data, reports and other agency documents.

[Statutory Authority: RCW 42.56.100, 42.56.040, and 42.17A.110. WSR 12-18-015, § 390-14-045, filed 8/24/12, effective 9/24/12. Statutory Authority: RCW 42.17.370(1). WSR 02-03-018, § 390-14-045, filed 1/4/02, effective 2/4/02; WSR 99-12-063, § 390-14-045, filed 5/27/99, effective 6/27/99. Statutory Authority: RCW 42.17.370. WSR 91-16-072, § 390-14-045, filed 8/2/91, effective 9/2/91. Statutory Authority: RCW 42.17.370(1). WSR 85-15-020 (Order 85-03), § 390-14-045, filed 7/9/85; Order 62, § 390-14-045, filed 8/26/75.]

WAC 390-14-100 List of elected public officials. (1) The public disclosure commission shall prepare a list of all state elected officials of the state of Washington. The list shall be updated annually by January 15th.

(2) The list shall contain the names of those entities that are reported by state elected officials and successful candidates for state office pursuant to RCW 42.17A.710 (1)(g).

[Statutory Authority: RCW 42.17A.110. WSR 12-03-002, § 390-14-100, filed 1/4/12, effective 2/4/12. Statutory Authority: RCW 42.17.370(1). WSR 99-12-064, § 390-14-100, filed 5/27/99, effective 6/27/99; WSR 85-15-020 (Order 85-03), § 390-14-100, filed 7/9/85; WSR 80-05-097 (Order 80-05), § 390-14-100, filed 5/2/80; WSR 79-10-017 (Order 79-05), § 390-14-100, filed 9/7/79; Order 62, § 390-14-100, filed 8/26/75.]

WAC 390-14-110 List of elected public officials—Name not on list, impact. (1) The commission has as part of its authority the power to suspend or modify reporting requirements of chapter 42.17A RCW, if it finds after hearing that literal application of the act would work a manifestly unreasonable hardship and suspension or modification will not frustrate the purposes of the act.

(2) The commission shall presume it is a manifestly unreasonable hardship for a lobbyist employer or other person filing PDC Form C-7 pursuant to RCW 42.17A.630 to report the compensation paid to a state elected official, a successful candidate for state office, an immediate family member of a state elected official or successful candidate for state office, or a corporation, partnership, joint venture, association, union or other entity in which one of these individuals holds any office, directorship, general partnership interest, or an ownership interest of ten percent or more, if:

(a) The name of such official, candidate, family member or entity does not appear on the most recent list of state elected officials prepared by the commission pursuant to WAC 390-14-100; and

(b) The lobbyist employer or other filer does not have actual knowledge of compensation being paid to such official, candidate, family member or entity.

[Statutory Authority: RCW 42.17A.110. WSR 12-03-002, § 390-14-110, filed 1/4/12, effective 2/4/12. Statutory Authority: RCW 42.17.370(1). WSR 99-12-065, § 390-14-110, filed 5/27/99, effective 6/27/99; WSR 80-05-097 (Order 80-05), § 390-14-110, filed 5/2/80; Order 62, § 390-14-110, filed 8/26/75.]