

WAC 390-24-025 Time for filing statement of financial affairs.

(1) Any person holding elected public office, except as exempted by the terms of RCW 42.17A.700, and any appointed official and professional staff member listed or referenced in RCW 42.17A.700, and any appointed official required to comply with the reporting requirements of RCW 42.17A.700 by any other statute are required to file the F-1 for each partial or full calendar year that such person has served.

(a) For any elected official or officer continuing service from the prior year, the reporting period covers the entire preceding calendar year.

(b) For any officer or official who leaves public office prior to January 1st, the ~~((F-1 must))~~ reporting period covers only the portion of the previous year that such person was in office.

~~((b))~~ (c) For any officer or official appointed to office between January through November, or any person who becomes a candidate within the same time period, the ~~((F-1 filed at the time of appointment must))~~ reporting period covers the immediately preceding twelve-month period from the time of appointment or candidacy (or "from the time the F-1 was filed"). However, if the appointee or candidate files between January 1st and April 15th and also has a prior obligation to file as an officer or official under (a) of this subsection, then the reporting period covers the period from January 1st of the preceding year through the time of appointment or candidacy in the current year. For any officer or official appointed to office in December, the ~~((F-1 filed at the time of appointment must))~~ reporting period covers the preceding twelve-month period ending December 31st of the same year.

(2) Any person required to file an F-1 must electronically file the F-1 with the commission under the relevant periods as follows:

(a) For any officer or official continuing service from the prior year, between January 1st and April 15th of each year immediately following the year, or portion of the year served;

(b) ~~((As alternative to (a) of this subsection,))~~ For any officer or official who leaves office before January 1st of the following year, either:

(i) Within sixty days of leaving public office ~~((, for any officer or official who leaves office before January 1st of the following year))~~; or

(ii) Between January 1st and April 15th of the year immediately following the portion of the year served; or

(c) For any person appointed to a vacancy in office, or becoming a candidate, as follows:

(i) Within two weeks of appointment ~~((for any person appointed to a vacancy in office))~~ for appointment of candidacy beginning during the months of January through November ~~((,))~~; or

(ii) Between January 1st and January 15th for ~~((any person appointed to a vacancy))~~ appointment or candidacy beginning in December.

AMENDATORY SECTION (Amending WSR 12-03-002, filed 1/4/12, effective 2/4/12)

WAC 390-24-100 Definition—Direct financial interest. (1) For the purpose of RCW 42.17A.710 (1)(b), the phrase "direct financial interest" means and includes any direct ownership interest in a bank or savings account, in the cash surrender value of an insurance policy, in stocks, bonds, other securities, evidences of indebtedness, judgments, accounts receivable, and other monetary claims in liquidated amounts.

The term "direct financial interest" as used in that subsection, shall not be deemed to include:

~~((1))~~ (a) Any direct financial interest which is required to be reported by such elected official or candidate under any other provision of chapter 42.17A RCW; and

~~((2))~~ (b) An account receivable by a business entity in the ordinary course of such entity's business.

(2) A direct financial interest in stocks, bonds, or other securities held in an account managed by a commercial broker, where a third party solely (or independently) has decision-making authority of the investment, may be reported under the name and value of the account, rather than the individual properties of the portfolio.

AMENDATORY SECTION (Amending WSR 12-03-002, filed 1/4/12, effective 2/4/12)

WAC 390-24-110 Definition—Debt. (1) For the purpose of RCW 42.17A.710 (1)(c), the term "debt" means and includes a personal obligation or liability to pay or return something of value.

(2) The term "debt" as used in RCW 42.17A.710 (1)(c) shall not be deemed to include:

(a) An account payable of a business entity in the ordinary course of such entity's business; or

(b) A contractual promise as guarantor of a debt.

AMENDATORY SECTION (Amending WSR 15-01-067, filed 12/11/14, effective 1/11/15)

WAC 390-24-150 Definition—Officer. (1) For the purposes of RCW 42.17A.710 (1)(g) (~~and WAC 390-24-010~~), the term "officer" or "office held" means and includes:

(a) President, vice president, secretary, treasurer, or some derivation thereof;

(b) One who holds a corporate office; or

(c) An individual who holds a position described as an officer in a corporation's bylaws or who is appointed by the board of directors in accordance with the bylaws, or an individual who acts in such capacity without the title or appointment.

(2) An individual who has been given the title of "officer" to denote a managerial job classification is not an officer for the purposes of RCW 42.17A.710 (1)(g) (~~and WAC 390-24-010~~).

AMENDATORY SECTION (Amending WSR 12-03-002, filed 1/4/12, effective 2/4/12)

WAC 390-24-201 Report of compensation by limited partnerships, limited liability partnerships, limited liability companies, and similar entities. For the purposes of filing financial disclosures required by RCW 42.17A.710:

(1) The terms partnership, general partnership, limited partnership, limited liability partnership, and limited liability company as defined in Title 25 RCW will apply.

~~(2) ((Persons who have a partnership or membership in limited partnerships, limited liability partnerships, limited liability companies, and similar entities including but not limited to professional limited liability companies, shall file a personal financial affairs form (PDC F-1) as required in RCW 42.17A.710, and shall also provide the information described in subsection (3) of this section.~~

~~(3))~~ A person filing a personal financial affairs statement shall report the name of any limited partnership, limited liability partnership, limited liability company, professional limited liability company, and similar entity in which ~~((a partnership or membership is held by))~~ the person or member of the person's immediate family~~((, and any))~~ holds:

(a) Any office, directorship, or any general partnership interest, including the title held; and

(b) Any ownership interest of ten percent or more.

(3) In addition to the requirements under subsection (2) of this section, the person shall also report the following:

(a) Regarding a governmental unit in which the filer seeks or holds any office or position, if the entity has received compensation during the reporting period from the governmental unit, the value of the compensation and the consideration given or performed in exchange for the compensation; and

(b) The name of each governmental unit, corporation, partnership, joint venture, sole proprietorship, association, union, or other business or commercial entity from which the entity has received compensation in the amount equal to or greater than the amount specified in WAC 390-24-010 and 390-24-020 (the F-1 reporting forms) during the reporting period and the consideration given or performed in exchange for the compensation.

AMENDATORY SECTION (Amending WSR 20-02-062, filed 12/24/19, effective 1/24/20)

WAC 390-24-211 Reporting on public or private office held for the statement of financial affairs (F-1). (1) An elected official or executive state officer is not required to report the office, directorship, or position held in a public or private office for service on

a governmental board, commission, association, or functional equivalent, when such service is part of the elected official's or executive state officer's official duties.

(2) Such "official duties" may include service in an elected position of a board, commission, or association of which general membership in such organization is part of the official's or officer's official duties.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 390-24-020 Amending the statement of financial affairs.