



RULE-MAKING ORDER PERMANENT RULE ONLY

CR-103P (December 2017) (Implements RCW 34.05.360)

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: April 02, 2021

TIME: 11:21 AM

WSR 21-08-047

Agency: Public Disclosure Commission

Effective date of rule:

Permanent Rules

31 days after filing.

Other (specify) _____ (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

Yes No If Yes, explain:

Purpose: These rules are being added to Ch 390-16 WAC to implement the requirements and processes of chapter 152, Laws of 2020 (SSB 6152) for certifying certain campaign activity is not financed by or involving a foreign national.

Citation of rules affected by this order:

New: WAC 390-16-330 & 335

Repealed:

Amended:

Suspended:

Statutory authority for adoption: RCW 42.17A.110, 240, 250, 255, 260, 265 & 305.

Other authority:

PERMANENT RULE (Including Expedited Rule Making)

Adopted under notice filed as WSR 20-20-133 on 10/07/20 (date).

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

WAC 390-16-330(1): Changes were made to provide that financing in any part by a foreign national did not include: (1) anything received of a de minimis amount; (2) anything within the personal funds of an individual; and (3) membership dues paid to the general treasury of a membership organization where the general treasury has sufficient funds to finance the political activity apart from any portion of the total dues paid by foreign nationals.

WAC 390-16-330(2): Changes were made to provide that involvement by a foreign national included the foreign parent organization of a domestic subsidiary where the parent organization had made an endorsement or collaborated with the subsidiary on the same campaign.

WAC 390-16-335: Changes were made to the certification process to allow a contributor to provide: (1) a single certification that would apply to future contributions within the same election cycle if the future contributions were regularly scheduled and funded from the same source; (2) an exemption of the certification requirement for a registered political committee contributing to another political committee; (3) an exemption of the certification for in-kind contributions with a value of fifty dollars or less.

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:

Name:

Address:

Phone:

Fax:

TTY:

Email:

Web site:

Other:

**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.**

The number of sections adopted in order to comply with:

Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	2	Amended	___	Repealed	___

The number of sections adopted at the request of a nongovernmental entity:

New	___	Amended	___	Repealed	___
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The number of sections adopted on the agency's own initiative:

New	___	Amended	___	Repealed	___
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	___	Amended	___	Repealed	___
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The number of sections adopted using:

Negotiated rule making:	New	___	Amended	___	Repealed	___
Pilot rule making:	New	___	Amended	___	Repealed	___
Other alternative rule making:	New	___	Amended	___	Repealed	___

Date Adopted: March 25, 2021

Name: Sean Flynn

Title: General Counsel

Signature:

