



PROPOSED RULE MAKING

CR-102 (July 2022) (Implements RCW 34.05.320) Do NOT use for expedited rule making

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STATE OF WASHINGTON
FILED

DATE: October 28, 2024

TIME: 2:10 PM

WSR 24-22-056

Agency: Public Disclosure Commission

Original Notice

Supplemental Notice to WSR _____

Continuance of WSR _____

Preproposal Statement of Inquiry was filed as WSR 24-18-042 ; or

Expedited Rule Making--Proposed notice was filed as WSR _____; or

Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1); or

Proposal is exempt under RCW _____.

Title of rule and other identifying information: (describe subject) WAC 390-18-030 -Advertising—Exemptions from sponsor identification and alternatives for online advertising.

Hearing location(s):

Date:

Time:

Location: (be specific)

Comment:

December 12, 2024

9:30 a.m.

PDC office – 711 Capitol Way S;
Olympia, WA 98504

Remote access available -
Contact pdc@pdc.wa.gov

Date of intended adoption: December 12, 2024 (Note: This is **NOT** the effective date)

Submit written comments to:

Name: Sean Flynn

Address: 711 Capitol Way S; Olympia, WA 98504

Email: pdc@pdc.wa.gov

Fax: 360-753-1112

Other:

By (date) November 30, 2023

Assistance for persons with disabilities:

Contact Jana Greer

Phone: 360-753-1111

Fax: 360-753-1112

TTY:

Email: pdc@pdc.wa.gov

Other:

By (date) December 5, 2023

Purpose of the proposal and its anticipated effects, including any changes in existing rules: The rule would be updated to reflect recent changes in statute regarding the exemption of sponsor identification for political yard signs. The rule would also alter the measurements for the exemption of sponsor identification on campaign paraphernalia in order to account for the variety of different shapes.

Reasons supporting proposal: Rulemaking is necessary to update reference to the newly enacted law, HB 2032 (2024), which requires sponsor identification on previously exempted political yard signs. The new dimensions for the exemption of sponsor identification on campaign paraphernalia is intended to clarify scope of the exemption and avoid overly technical application of the exemption.

Statutory authority for adoption: RCW 42.17A.110

Statute being implemented: RCW 42.17A.320

Is rule necessary because of a:

Federal Law?

Yes No

Federal Court Decision?

Yes No

State Court Decision?

Yes No

If yes, CITATION:

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:

Type of proponent: Private Public Governmental

Name of proponent: (person or organization) PDC

Name of agency personnel responsible for:

	Name	Office Location	Phone
Drafting:	Sean Flynn	711 Capitol Way S; Olympia, WA 98504	pdc@pdc.wa.gov
Implementation:	Sean Flynn	711 Capitol Way S; Olympia, WA 98504	pdc@pdc.wa.gov
Enforcement:	Sean Flynn	711 Capitol Way S; Olympia, WA 98504	pdc@pdc.wa.gov

Is a school district fiscal impact statement required under [RCW 28A.305.135](#)?

Yes No

If yes, insert statement here:

The public may obtain a copy of the school district fiscal impact statement by contacting:

Name:

Address:

Phone:

Fax:

TTY:

Email:

Other:

Is a cost-benefit analysis required under [RCW 34.05.328](#)?

Yes: A preliminary cost-benefit analysis may be obtained by contacting:

Name:

Address:

Phone:

Fax:

TTY:

Email:

Other:

No: Please explain: The Public Disclosure Commission is not required to prepare a cost-benefit analysis under RCW 34.05.328(5)(b)

Regulatory Fairness Act and Small Business Economic Impact Statement

Note: The [Governor's Office for Regulatory Innovation and Assistance \(ORIA\)](#) provides support in completing this part.

(1) Identification of exemptions:

This rule proposal, or portions of the proposal, **may be exempt** from requirements of the Regulatory Fairness Act (see [chapter 19.85 RCW](#)). For additional information on exemptions, consult the [exemption guide published by ORIA](#). Please check the box for any applicable exemption(s):

This rule proposal, or portions of the proposal, is exempt under [RCW 19.85.061](#) because this rule making is being adopted solely to conform and/or comply with federal statute or regulations. Please cite the specific federal statute or regulation this rule is being adopted to conform or comply with, and describe the consequences to the state if the rule is not adopted.

Citation and description:

This rule proposal, or portions of the proposal, is exempt because the agency has completed the pilot rule process defined by [RCW 34.05.313](#) before filing the notice of this proposed rule.

This rule proposal, or portions of the proposal, is exempt under the provisions of [RCW 15.65.570\(2\)](#) because it was adopted by a referendum.

- This rule proposal, or portions of the proposal, is exempt under [RCW 19.85.025\(3\)](#). Check all that apply:
- | | |
|---|--|
| <input type="checkbox"/> RCW 34.05.310 (4)(b)
(Internal government operations) | <input checked="" type="checkbox"/> RCW 34.05.310 (4)(e)
(Dictated by statute) |
| <input type="checkbox"/> RCW 34.05.310 (4)(c)
(Incorporation by reference) | <input checked="" type="checkbox"/> RCW 34.05.310 (4)(f)
(Set or adjust fees) |
| <input type="checkbox"/> RCW 34.05.310 (4)(d)
(Correct or clarify language) | <input type="checkbox"/> RCW 34.05.310 (4)(g)
((i) Relating to agency hearings; or (ii) process requirements for applying to an agency for a license or permit) |
- This rule proposal, or portions of the proposal, is exempt under [RCW 19.85.025\(4\)](#) (does not affect small businesses).
- This rule proposal, or portions of the proposal, is exempt under RCW _____.
- Explanation of how the above exemption(s) applies to the proposed rule:

(2) Scope of exemptions: *Check one.*

- The rule proposal is fully exempt (*skip section 3*). Exemptions identified above apply to all portions of the rule proposal.
- The rule proposal is partially exempt (*complete section 3*). The exemptions identified above apply to portions of the rule proposal, but less than the entire rule proposal. Provide details here (consider using [this template from ORIA](#)):
- The rule proposal is not exempt (*complete section 3*). No exemptions were identified above.

(3) Small business economic impact statement: *Complete this section if any portion is not exempt.*

If any portion of the proposed rule is **not exempt**, does it impose more-than-minor costs (as defined by RCW 19.85.020(2)) on businesses?

- No Briefly summarize the agency's minor cost analysis and how the agency determined the proposed rule did not impose more-than-minor costs. _____
- Yes Calculations show the rule proposal likely imposes more-than-minor cost to businesses and a small business economic impact statement is required. Insert the required small business economic impact statement here:

The public may obtain a copy of the small business economic impact statement or the detailed cost calculations by contacting:

Name:
Address:
Phone:
Fax:
TTY:
Email:
Other:

Date: October 28, 2024

Name: Sean Flynn

Title: General Counsel

Signature:

