



State of Washington
PUBLIC DISCLOSURE COMMISSION

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Memorandum [Amended]

To: Public Disclosure Commission

From: Jennifer Hansen, Compliance Officer

Date: March 6, 2025

Subject: Request from Kyle Leonhard & Egan Orion, Reporting Modification

Partial Modification – Background & Request:

- On February 24, 2025, the Public Disclosure Commission (PDC) received a request from Kyle Leonhard for redaction of information connected to a contribution they made to Egan Orion, a candidate registered with the PDC, that was disclosed pursuant to the filing requirements described in RCW 42.17A.240.
- Kyle Leonhard requested redaction of information connected to their residence previously disclosed as part of a contribution and was made publicly available through an internet search. Kyle Leonhard further stated they have taken steps to remove their personal information from the internet and has concerns about their address appearing in the results of search engines.
- PDC Staff informed Kyle Leonhard of the modification process, including that it would be necessary to receive consent from the 2019 Egan Orion Campaign.
- On March 5, 2025, PDC Staff received an email from Kyle Leonhard that included Egan Orion confirming consent to modify the Orion Campaign reports per the Commission's Order, if Kyle Leonhard's request is granted.
- Kyle Leonhard's records would be exempt from public disclosure if the Commission finds in accordance with [RCW 42.17A.120](#) and [WAC 390-28-080](#) that disclosure of such information would present a personal risk to a reasonable person.

Applicable Laws & Rules:

RCW 42.17A.120

Suspension or modification of reporting requirements.

(1) The commission may suspend or modify any of the reporting requirements of this chapter if it finds that literal application of this chapter works a manifestly unreasonable hardship in a particular case and the suspension or modification will not frustrate the purposes of this chapter. The commission may suspend or modify reporting requirements only to the extent necessary to substantially relieve the hardship and only after a hearing is held and the suspension or modification receives approval. A suspension or modification of the financial affairs reporting requirements in RCW [42.17A.710](#) may be approved for an elected official's term of office or for up to three years for an executive state officer. If a material change in the applicant's circumstances or relevant information occurs or has occurred, the applicant must request a modification at least one month prior to the next filing deadline rather than at the conclusion of the term.

(2) A manifestly unreasonable hardship exists if reporting the name of an entity required to be reported under RCW [42.17A.710](#)(1)(g)(ii) would be likely to adversely affect the competitive position of any entity in which the person filing the report, or any member of the person's immediate family, holds any office, directorship, general partnership interest, or an ownership interest of ten percent or more.

(3) Requests for reporting modifications may be heard in a brief adjudicative proceeding as set forth in RCW [34.05.482](#) through [34.05.494](#) and in accordance with the standards established in this section. The commission, the commission chair acting as presiding officer, or another commissioner appointed by the chair to serve as presiding officer, may preside over a brief adjudicatory proceeding. If a modification is requested by a filer because of a concern for personal safety, the information submitted regarding that safety concern shall not be made public prior to, or at, the hearing on the request. Any information provided or prepared for the modification hearing shall remain exempt from public disclosure under this chapter and chapter [42.56](#) RCW to the extent it is determined at the hearing that disclosure of such information would present a personal safety risk to a reasonable person.

(4) If the commission, or presiding officer, grants a modification request, the commission or presiding officer may apply the modification retroactively to previously filed reports. In that event, previously reported information of the kind that is no longer being reported is confidential and exempt from public disclosure under this chapter and chapter [42.56](#) RCW.

(5) Any citizen has standing to bring an action in Thurston county superior court to contest the propriety of any order entered under this section within one year from the date of the entry of the order.

(6) The commission shall adopt rules governing the proceedings.

RCW 42.17A.240

Contents of report.

Each report required under RCW [42.17A.235](#) (1) through (4) must be certified as correct by the treasurer and the candidate and shall disclose the following, except an incidental committee only must disclose and certify as correct the information required under subsections (2)(d) and (7) of this section:

- (1) The funds on hand at the beginning of the period;
- (2) The name and address of each person who has made one or more contributions during the period, together with the money value and date of each contribution and the aggregate value of all contributions received from each person during the campaign, or in the case of a continuing political committee, the current calendar year, with the following exceptions:
 - (a) Pledges in the aggregate of less than one hundred dollars from any one person need not be reported;
 - (b) Income that results from a fund-raising activity conducted in accordance with RCW [42.17A.230](#) may be reported as one lump sum, with the exception of that portion received from persons whose names and addresses are required to be included in the report required by RCW [42.17A.230](#);
 - (c) Contributions of no more than twenty-five dollars in the aggregate from any one person during the election campaign may be reported as one lump sum if the treasurer maintains a separate and private list of the name, address, and amount of each such contributor;
 - (d) Payments received by an incidental committee from any one person need not be reported unless the person is one of the committee's ten largest sources of payments received, including any persons tied as the tenth largest source of payments received, during the current calendar year, and the value of the cumulative payments received from that person during the current calendar year is ten thousand dollars or greater. For payments to incidental committees from multiple persons received in aggregated form, any payment of more than ten thousand dollars from any single person must be reported, but the aggregated payment itself may not be reported. The commission may suspend or modify reporting requirements for payments received by an incidental committee in cases of manifestly unreasonable hardship under this chapter;
 - (e) Payments from private foundations organized under section 501(c)(3) of the internal revenue code to an incidental committee do not have to be reported if:
 - (i) The private foundation is contracting with the incidental committee for a specific purpose other than election campaign purposes;
 - (ii) Use of the funds for election campaign purposes is explicitly prohibited by contract; and
 - (iii) Funding from the private foundation represents less than twenty-five percent of the incidental committee's total budget;
 - (f) Commentary or analysis on a ballot proposition by an incidental committee is not considered a contribution if it does not advocate specifically to vote for or against the ballot proposition; and
 - (g) The money value of contributions of postage is the face value of the postage;
- (3) Each loan, promissory note, or security instrument to be used by or for the benefit of the candidate or political committee made by any person, including the names and addresses of the lender and each person liable directly, indirectly or contingently and the date and amount of each such loan, promissory note, or security instrument;
- (4) All other contributions not otherwise listed or exempted;

(5) A statement that the candidate or political committee has received a certification from any partnership, association, corporation, organization, or other combination of persons making a contribution to the candidate or political committee that:

(a) The contribution is not financed in any part by a foreign national; and

(b) Foreign nationals are not involved in making decisions regarding the contribution in any way;

(6) The name and address of each candidate or political committee to which any transfer of funds was made, including the amounts and dates of the transfers;

(7) The name and address of each person to whom an expenditure was made in the aggregate amount of more than fifty dollars during the period covered by this report, the amount, date, and purpose of each expenditure, and the total sum of all expenditures. An incidental committee only must report on expenditures, made and reportable as contributions as defined in RCW [42.17A.005](#), to election campaigns. For purposes of this subsection, commentary or analysis on a ballot proposition by an incidental committee is not considered an expenditure if it does not advocate specifically to vote for or against the ballot proposition;

(8) The name, address, and electronic contact information of each person to whom an expenditure was made for soliciting or procuring signatures on an initiative or referendum petition, the amount of the compensation to each person, and the total expenditures made for this purpose. Such expenditures shall be reported under this subsection in addition to what is required to be reported under subsection (7) of this section;

(9)(a) The name and address of any person and the amount owed for any debt with a value of more than seven hundred fifty dollars that has not been paid for any invoices submitted, goods received, or services performed, within five business days during the period within thirty days before an election, or within ten business days during any other period.

(b) For purposes of this subsection, debt does not include regularly recurring expenditures of the same amount that have already been reported at least once and that are not late or outstanding;

(10) The surplus or deficit of contributions over expenditures;

(11) The disposition made in accordance with RCW [42.17A.430](#) of any surplus funds;
and

(12) Any other information required by the commission by rule in conformance with the policies and purposes of this chapter.