



**State of Washington
PUBLIC DISCLOSURE COMMISSION**

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Memo

To: PDC Commissioners
From: Sean Flynn, General Counsel
Date: April 17, 2025
Re: Proposed Rulemaking re Enforcement Procedures – Ch 390-37 WAC

PDC Staff has prepared draft rule changes regarding enforcement procedures, specifically addressing penalty schedules and process. The PDC initiated rulemaking on this topic in October 2024 (WSR 24-22-057).

The primary purpose of the rulemaking is to update the agency penalty schedules used for stipulations (WAC 390-37-062), brief adjudicatory proceedings (WAC 390-37-143), and full commission hearings (WAC 390-37-182). The current penalty schedules were created in 2018. Staff believe the values in the schedules warrant an incremental increase that would provide the Commission with greater discretion in determining appropriate penalties for particular violations. Values are raised in approximately \$500-\$1,000 increments and uniformly within each schedule.

This draft is presented as an initial step in preparing a proposed rule, which then would be published and open for public comment. At this point, staff is asking for the Commission's feedback and ideas on the current draft to inform the development of the proposal. Staff anticipate incorporating any feedback and bringing an updated draft back to the Commission in May. Given the impending freeze period on the adoption of rules during the election season, staff projects this rule will be ready for adoption by December 2025, which provides ample time for the development and consideration of these changes.