

TO: PDC Commissioners
FROM: Sean Flynn, General Counsel
DATE: July 17, 2025
RE: Rules Development Agenda for July 2025 – January 2026

The Administrative Procedure Act requires state agencies to prepare a biannual rules development agenda that includes the issues under consideration for rulemaking for the upcoming six-month period. RCW 34.05.314. Agendas are published in the State Register at the end of January and July each year. Staff proposes the following rulemaking agenda for the period from July 2025 through January 2026:

Amending rule to permit political parties the use of exempt funds for sample ballots that include a party's position on ballot propositions.

The PDC adopted an emergency rule based on an APA petition filed in March 2025 for temporary application during the 2025 election season. The temporary rule amends WAC 390-17-030 by permitting political parties (and PACs) to include sample ballots that include ballot propositions within the exemption from contribution limits, pursuant to RCW 42.17A.405(15). The PDC will consider initiating permanent rulemaking on this topic for application after the 2025 general election.

Preparation for implementation of SSB 5857 (reorganization of the campaign finance chapter).

The Legislature enacted SSB 5857 in 2024, which will reorganize the campaign finance law, Ch 42.17A RCW into a new statutory title. The reorganization does not make any substantive changes to the current law, but will require all statutory references in rule to be changed to the references in the new title. The bill takes effect in 2026, and the agency plans to initiate rulemaking to prepare for adoption at the end of 2025.

Updating enforcement penalty schedules.

The PDC initiated rulemaking to consider amending the penalty schedules for both brief enforcement hearings (WAC 390-37-143) and full adjudicatory proceedings (WAC 390-37-182). A public hearing on the agency proposed rules is scheduled for July 24, 2025. The Commission anticipates final adoption of the rules by the end of 2025.