

**WAC 390-20-140 Loss of exemption from registering and reporting lobbying activities.** (1) For the purpose of determining compliance with RCW 42.17A.650, a lobbyist's employer is responsible for the applicability of all of the exemptions provided in RCW 42.17A.610 to any lobbyist the employer employs, pays, or agrees to pay.

(2) The commission recognizes that a lobbyist who initially intends in good faith to utilize the "casual lobbying" exemption from registration and reporting which is provided in RCW 42.17A.610(4) may thereafter become ineligible for that exemption, thus violating RCW 42.17A.600 or 42.17A.615 by not having registered or reported within the prescribed time periods.

(3) The commission will not commence enforcement proceedings against a lobbyist or their employer in circumstances described in subsection (2) of this section if the lobbyist:

(a) Registers pursuant to RCW 42.17A.600 before doing any lobbying in excess of the exemption limitations in RCW 42.17A.610(4); and

(b) Files a report on the L-2 Report when next due under RCW 42.17A.615, including all reportable information for the lobbying activities cumulatively causing the exemption limitations to be reached.

(4) The duty under RCW 42.17A.655(1) of a person required to register as a lobbyist to obtain and preserve all records necessary to substantiate required financial reports includes such records of all activities which cumulatively cause the RCW 42.17A.610(4) exemption limitations to be reached and exceeded.

(5) A lobbyist whose only compensation or other consideration for lobbying is payment of or reimbursement for expenditures not required to be reported per RCW 42.17A.615 (3)(a) through (d), does not qualify for exemption from registration and reporting per RCW 42.17A.610(4).

[Statutory Authority: RCW 42.17A.110(1), 2019 c 428, and 2019 c 261. WSR 20-02-062, § 390-20-140, filed 12/24/19, effective 1/24/20. Statutory Authority: RCW 42.17A.110. WSR 12-03-002, § 390-20-140, filed 1/4/12, effective 2/4/12. Statutory Authority: RCW 42.17.370(1). WSR 85-24-020 (Order 85-05), § 390-20-140, filed 11/26/85; WSR 82-14-016 (Order 82-04), § 390-20-140, filed 6/28/82. Statutory Authority: RCW 42.17.160(4) and 42.17.370(1). WSR 78-07-038 (Order 99), § 390-20-140, filed 6/26/78.]