

## WSR 23-07-004

## PERMANENT RULES

## PUBLIC DISCLOSURE COMMISSION

[Filed March 1, 2023, 2:52 p.m., effective April 1, 2023]

Effective Date of Rule: Thirty-one days after filing.

Purpose: This rule making makes inflationary adjustments to the monetary limits and reporting values of the campaign finance category, based on the economic changes since the time of enactment, as reflected in the inflationary index recommended by the office of financial management. The adjusted values are rounded to be most accessible to the public.

Citation of Rules Affected by this Order: Amending WAC 390-05-400 and 390-16-034.

Statutory Authority for Adoption: RCW 42.17A.110 and [42.17A.]125.

Adopted under notice filed as WSR 23-01-125 on December 20, 2022.

Changes Other than Editing from Proposed to Adopted Version: Inflationary adjustment values are rounded to be most accessible for public understanding. Categories were added for volunteer expenses exempted from independent expenditures (RCW 42.17A.005(30)) and thresholds for sources of funding on contributions by political committees (RCW 42.17A.405(12)). The threshold for reporting a contributor's employer information was amended to clarify reporting of the employer's "location," and the threshold amount was adjusted to \$250.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, Amended 2, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: February 23, 2023.

Sean Flynn  
General Counsel

**OTS-4258.5**

AMENDATORY SECTION (Amending WSR 22-14-030, filed 6/24/22, effective 6/30/22)

**WAC 390-05-400 Changes in dollar amounts.** Pursuant to the authority in RCW 42.17A.125 that the commission may revise the monetary contribution limits and reporting thresholds and code values of the act to reflect changes in economic conditions, the previous and current amounts are:

<del>((Code Section</del>	<del>Subject Matter</del>	<del>Previous</del>	<del>Current</del>
<del>.005</del>	<del>Reporting threshold for "Independent Expenditure" for political advertising</del>	<del>\$950</del>	<del>\$1,000</del>
<del>.255</del>	<del>Reporting threshold for "Independent Expenditure" not otherwise reported</del>	<del>\$100</del>	<del>\$100</del>
<del>.265</del>	<del>Reporting threshold for late contributions (last minute contributions)</del>	<del>\$1,000</del>	<del>\$1,500</del>
<del>.445(3)</del>	<del>Reimbursement of candidate for loan to own campaign</del>	<del>\$5,500</del>	<del>\$6,000</del>
<del>.630(1)</del>	<del>Report—</del>		
	<del>Applicability of provisions to persons who made contributions</del>	<del>\$19,000</del>	<del>\$20,000</del>
	<del>Persons who made independent expenditures</del>	<del>\$950</del>	<del>\$1,000</del>
<del>.405(2)</del>	<del>Contribution Limits—</del>		
	<del>Candidates for state leg. office</del>	<del>\$950</del>	<del>\$1,000</del>
	<del>Candidates for county office</del>	<del>\$950</del>	<del>\$1,000</del>
	<del>Candidates for other state office</del>	<del>\$1,900</del>	<del>\$2,000</del>
	<del>Candidates for special purpose districts</del>	<del>\$1,900</del>	<del>\$2,000</del>
	<del>Candidates for city council office</del>	<del>\$950</del>	<del>\$1,000</del>
	<del>Candidates for mayoral office</del>	<del>\$950</del>	<del>\$1,000</del>
	<del>Candidates for school board office</del>	<del>\$950</del>	<del>\$1,000</del>
	<del>Candidates for hospital district</del>	<del>\$950</del>	<del>\$1,000</del>
<del>.405(3)</del>	<del>Contribution Limits—</del>		
	<del>State official up for recall or pol comm. supporting recall—</del>		
	<del>State Legislative Office</del>	<del>\$950</del>	<del>\$1,000</del>
	<del>Other State Office</del>	<del>\$1,900</del>	<del>\$2,000</del>
<del>.405(4)</del>	<del>Contribution Limits—</del>		
	<del>Contributions made by political parties and caucus committees</del>		
	<del>State parties and caucus committees</del>	<del>.95 per voter</del>	<del>\$1.00 per registered voter</del>
	<del>County and leg. district parties</del>	<del>.50 per voter</del>	<del>.50 per registered voter</del>
	<del>Limit for all county and leg. district parties to a candidate</del>	<del>.50 per voter</del>	<del>.50 per registered voter</del>
<del>.405(5)</del>	<del>Contribution Limits—</del>		
	<del>Contributions made by pol. parties and caucus committees to state official up for recall or committee supporting recall</del>		
	<del>State parties and caucuses</del>	<del>.95 per voter</del>	<del>\$1.00 per registered voter</del>
	<del>County and leg. district parties</del>	<del>.50 per voter</del>	<del>.50 per registered voter</del>
	<del>Limit for all county and leg. district parties to state official up for recall or pol. comm. supporting recall</del>	<del>.50 per voter</del>	<del>.50 per registered voter</del>
<del>.405(7)</del>	<del>Limits on contributions to political parties and caucus committees</del>		
	<del>To caucus committee</del>	<del>\$950</del>	<del>\$1,000</del>
	<del>To political party</del>	<del>\$5,000</del>	<del>\$5,500</del>
<del>.410(1)</del>	<del>Candidates for judicial office</del>	<del>\$1,900</del>	<del>\$2,000</del>
<del>.475</del>	<del>Contribution must be made by written instrument</del>	<del>\$95</del>	<del>\$100</del>
<del>.710</del>	<del>Code values for statement of personal financial affairs – See WAC 390-24-301))</del>		

<u>Code Section</u>	<u>Subject</u>	<u>Value Set in Statute (year last changed)</u>	<u>Previous Adjusted Value in Rule (last set in 2016)</u>	<u>Current Adjusted Value (last set in 2023)</u>
<u>Campaign Finance Reporting</u>				

<u>Code Section</u>	<u>Subject</u>	<u>Value Set in Statute (year last changed)</u>	<u>Previous Adjusted Value in Rule (last set in 2016)</u>	<u>Current Adjusted Value (last set in 2023)</u>
<u>.005(15)</u>	<u>Limit for the value of volunteer services excluded from the definition of "Contribution"</u>	<u>\$50 (1989)</u>	<u>n/a</u>	<u>\$200</u>
<u>.005(21)</u>	<u>Reporting threshold for "Electioneering Communication"</u>	<u>\$1,000 (2011)</u>	<u>n/a</u>	<u>\$2,000</u>
<u>.005(30)</u>	<u>Reporting threshold for "Independent Expenditure"</u>	<u>\$1,000 (2019)</u>	<u>n/a</u>	<u>\$2,000</u>
<u>.005(30)</u>	<u>Limit for the value of volunteer campaign worker expenses exempted from threshold for "Independent Expenditure"</u>	<u>\$250 (2018)</u>	<u>n/a</u>	<u>\$350</u>
<u>.005(46)(a)</u>	<u>Maximum limit for qualification as a "Remediable Violation" where no contribution limit applies</u>	<u>\$1,000 (2018)</u>	<u>n/a</u>	<u>\$1,500</u>
<u>.110(8) .135(7)</u>	<u>Limit on eligibility for reporting exceptions by small campaigns ("mini reporting" pursuant to WAC 390-16-105 et seq.)</u>	<u>\$5,000 (2010)</u>	<u>n/a</u>	<u>\$7,000</u>
<u>.207(1)(a)(i)</u>	<u>Incidental committee - Threshold of expenditures for registration</u>	<u>\$25,000 (2018)</u>	<u>n/a</u>	<u>\$35,000</u>
<u>.235(1)</u>	<u>Incidental committee - Threshold for reporting top 10 contributors</u>	<u>\$10,000 (2018)</u>	<u>n/a</u>	<u>\$15,000</u>
<u>.235(3)(b)</u>	<u>Incidental committee - Threshold for regular monthly reporting of contributions or expenditures</u>	<u>\$200 (2018)</u>	<u>n/a</u>	<u>\$500</u>
<u>.220(4)</u>	<u>Limit for retaining accumulated unidentified contributions</u>	<u>\$300 (1973)</u>	<u>n/a</u>	<u>\$500</u>
<u>.225(2)</u>	<u>Regular monthly campaign reports - Threshold for regular monthly reporting of contributions or expenditures - continuing PAC</u>	<u>\$200 (1982)</u>	<u>n/a</u>	<u>\$750</u>
<u>.235(3)(a)</u>	<u>Regular monthly campaign reports - Threshold for regular monthly reporting of contributions or expenditures - PAC</u>	<u>\$200 (1982)</u>	<u>n/a</u>	<u>\$750</u>

<u>Code Section</u>	<u>Subject</u>	<u>Value Set in Statute (year last changed)</u>	<u>Previous Adjusted Value in Rule (last set in 2016)</u>	<u>Current Adjusted Value (last set in 2023)</u>
<u>.230(2)</u>	<u>Contributions fund-raising - Limit on amounts eligible for special reporting of fund-raising activities</u>	<u>\$25 - event \$50 - auction (1989)</u>	<u>n/a</u>	<u>\$100 (event) \$150 (auction)</u>
<u>.230(4)</u>	<u>Contributions fund-raising - Threshold for reporting identity of contributions</u>	<u>\$50 (1989)</u>	<u>n/a</u>	<u>\$150</u>
<u>.235(5) &amp; .240(2)</u>	<u>Contributions - Threshold for required reporting identity of contributors</u>	<u>\$25 (1982)</u>	<u>n/a</u>	<u>\$100</u>
<u>.240(2)</u>	<u>Threshold for reporting pledges</u>	<u>\$100 (2019)</u>	<u>n/a</u>	<u>\$150</u>
<u>.240(7)</u>	<u>Threshold for reporting expenditure activity</u>	<u>\$50 (1982)</u>	<u>n/a</u>	<u>\$200</u>
<u>.240(9)</u>	<u>Threshold for reporting source of debt</u>	<u>\$750 (2018)</u>	<u>n/a</u>	<u>\$1,000</u>
<u>.250</u>	<u>Out-of-state PAC - Threshold for reporting contributions</u>	<u>\$25 - In-state (1983) \$2,550 - Out-of-state (2010)</u>	<u>\$2,680 (2016)</u>	<u>\$100 (In-state) \$4,000 (Out-of-state)</u>
<u>.265</u>	<u>"Last-minute contribution" - Reporting threshold</u>	<u>\$1,000 (2001)</u>	<u>n/a</u>	<u>\$1,500</u>
<u>.255(1)</u>	<u>Independent expenditure ("not otherwise reported") - Threshold for including incidental volunteer expenses</u>	<u>\$50 (1995)</u>	<u>n/a</u>	<u>\$200</u>
<u>.255(2)</u>	<u>Independent expenditure ("not otherwise reported") - Threshold for reporting</u>	<u>\$100 (1973)</u>	<u>n/a</u>	<u>\$1,000</u>
<u>.255(5)</u>	<u>Independent expenditure ("not otherwise reported") - Threshold for itemized expenditures</u>	<u>\$50 (1989)</u>	<u>n/a</u>	<u>\$200</u>
<u>.260</u>	<u>Independent expenditure (political advertising) - Threshold for reporting</u>	<u>\$1,000 (2001)</u>	<u>n/a</u>	<u>\$2,000</u>
<u>.305</u>	<u>Independent expenditure (electioneering communication) - Threshold for detailed reporting of expenditure</u>	<u>\$100 (2005)</u>	<u>n/a</u>	<u>\$200</u>
<u>.630(1)</u>	<u>Applicability of provisions to persons who made contributions</u>	<u>\$16,000 (2010)</u>	<u>\$20,000</u>	<u>\$20,000 *not adjusted in 2023</u>
<u>.630(1)</u>	<u>Persons who made independent expenditures</u>	<u>\$800 (2010)</u>	<u>\$1,000</u>	<u>\$1,000 *not adjusted in 2023</u>
<u>Campaign Contribution Limits</u>				
<u>.405(2)</u>	<u>Limits on contributions to candidates:</u>			

<u>Code Section</u>	<u>Subject</u>	<u>Value Set in Statute (year last changed)</u>	<u>Previous Adjusted Value in Rule (last set in 2016)</u>	<u>Current Adjusted Value (last set in 2023)</u>
	- Candidates for state legislative office	\$800 (2010)	\$1,000	\$1,200
	- Candidates for county office	\$800 (2010)	\$1,000	\$1,200
	- Candidates for other state office	\$1,600 (2010)	\$2,000	\$2,400
	- Candidates for special purpose districts	\$1,600 (2010)	\$2,000	\$2,400
	- Candidates for city council office	\$800 (2010)	\$1,000	\$1,200
	- Candidates for mayoral office	\$800 (2010)	\$1,000	\$1,200
	- Candidates for school board office	\$800 (2010)	\$1,000	\$1,200
	- Candidates for hospital district	\$800 (2010)	\$1,000	\$1,200
.410(1)	- Candidates for judicial office	\$1,600 (2010)	\$2,000	\$2,400
.405(4)	State and local party and caucus committee limits on contributions to a candidate:			
	- State parties and caucus committee	\$0.80 × per registered voter (2010)	\$1.00 per registered voter	\$1.20 per registered voter
	- County and legislative district parties	\$0.40 × per registered voter (2010)	\$0.50 per registered voter	\$0.60 per registered voter
	- Limit on aggregate of all county and legislative district parties to a candidate	\$0.40 × per registered voter (2010)	\$0.50 per registered voter	\$0.60 per registered voter
.405(7)	Limits to political parties and caucus committees:			
	- To caucus committee	\$800 (2010)	\$1,000	\$1,200
	- To political party	\$4,000 (2010)	\$5,500	\$6,000
.405(3)	Recall - Limits to state or local official or to PAC supporting recall:			
	- State legislative office and local office	\$800 (2010)	\$1,000	\$1,200
	- Other (nonlegislative) state office and port district	\$1,600 (2010)	\$2,000	\$2,400
.405(5)	Recall - Limits for political parties and caucus committees to state or local officials or to PACs supporting recall:			
	- State parties and caucuses	\$0.80 × per registered voter (2010)	\$1.00 per registered voter	\$1.20 per registered voter
	- County and legislative district parties	\$0.40 × per registered voter (2010)	\$0.50 per registered voter	\$0.60 per registered voter
	- Limit for all county and legislative district parties to state official up for recall or political committee supporting recall	\$0.40 × per registered voter (2010)	\$0.50 per registered voter	\$0.60 per registered voter
.405(12)	Threshold for contributions by political committees to be eligible to make a contribution	\$10 (from 10 persons) (1993)	n/a	\$25 (from 10 persons)

<u>Code Section</u>	<u>Subject</u>	<u>Value Set in Statute (year last changed)</u>	<u>Previous Adjusted Value in Rule (last set in 2016)</u>	<u>Current Adjusted Value (last set in 2023)</u>
<u>.420</u>	<u>Limits on large contributions:</u>			
	<u>- Statewide office</u>	<u>\$50,000 - (2010)</u>	<u>n/a</u>	<u>\$75,000</u>
	<u>- Other (nonstatewide) office</u>	<u>\$5,000 - other (2010)</u>	<u>n/a</u>	<u>\$7,500</u>
<u>.445(3)</u>	<u>Maximum limit for reimbursement of candidate loan to own campaign</u>	<u>\$4,700 (2010)</u>	<u>\$6,000</u>	<u>\$7,500</u>
<u>.475</u>	<u>Contribution must be made by written instrument</u>	<u>\$100 (2019)</u>	<u>n/a</u>	<u>\$100</u>
<u>.600 - .640</u>	<u>Lobbying disclosure and restrictions - See WAC 390-20-150</u>			
<u>.710</u>	<u>Code values for statement of personal financial affairs - See WAC 390-24-301</u>			

[Statutory Authority: RCW 42.17A.125. WSR 22-14-030, § 390-05-400, filed 6/24/22, effective 6/30/22. Statutory Authority: RCW 42.17A.110(1), 2019 c 428, and 2019 c 261. WSR 20-02-062, § 390-05-400, filed 12/24/19, effective 1/24/20. Statutory Authority: RCW 42.17A.110(1) and 2018 c 304. WSR 18-24-074, § 390-05-400, filed 11/30/18, effective 12/31/18. Statutory Authority: RCW 42.17A.110, 42.17A.125(1), and 42.17A.250 [(1)](g). WSR 16-04-080, § 390-05-400, filed 1/29/16, effective 2/29/16; WSR 14-01-010, § 390-05-400, filed 12/5/13, effective 1/5/14. Statutory Authority: RCW 42.17A.110 and 42.17A.125. WSR 13-05-012, § 390-05-400, filed 2/7/13, effective 3/10/13. Statutory Authority: RCW 42.17.110 and 42.17.125. WSR 12-10-041, § 390-05-400, filed 4/27/12, effective 5/28/12. Statutory Authority: RCW 42.17.370(1) and 42.17.690. WSR 12-01-032, § 390-05-400, filed 12/13/11, effective 1/13/12. Statutory Authority: RCW 42.17.370(1), 42.17.690, and 42.17.645. WSR 08-04-022, § 390-05-400, filed 1/28/08, effective 2/28/08. Statutory Authority: RCW 42.17.370. WSR 07-07-005, § 390-05-400, filed 3/8/07, effective 4/8/07. Statutory Authority: RCW 42.17.370 and 42.17.690. WSR 06-07-001, § 390-05-400, filed 3/1/06, effective 4/1/06. Statutory Authority: RCW 42.17.690. WSR 03-22-064, § 390-05-400, filed 11/4/03, effective 1/1/04. Statutory Authority: RCW 42.17.370 and 42.17.690. WSR 01-22-050, § 390-05-400, filed 10/31/01, effective 1/1/02. Statutory Authority: RCW 42.17.370(1). WSR 00-04-058, § 390-05-400, filed 1/28/00, effective 3/1/00. Statutory Authority: RCW 42.17.690. WSR 98-08-069, § 390-05-400, filed 3/30/98, effective 5/1/98; WSR 96-04-021, § 390-05-400, filed 1/30/96, effective 3/1/96.]

**OTS-4394.3**

AMENDATORY SECTION (Amending WSR 18-24-074, filed 11/30/18, effective 12/31/18)

**WAC 390-16-034 Additional contribution reporting requirements.**

Pursuant to RCW 42.17A.240, each report required under RCW 42.17A.235

shall disclose, in addition to the name and address of each person who has made one or more contributions in the aggregate amount of more than (~~one hundred dollars~~) \$250, their occupation, and the name and (~~address~~) location (city and state) of their employer.

[Statutory Authority: RCW 42.17A.110(1) and 2018 c 304. WSR 18-24-074, § 390-16-034, filed 11/30/18, effective 12/31/18. Statutory Authority: RCW 42.17A.110. WSR 12-03-002, § 390-16-034, filed 1/4/12, effective 2/4/12. Statutory Authority: RCW 42.17.370(1). WSR 02-01-014, § 390-16-034, filed 12/7/01, effective 1/7/02; WSR 96-05-001, § 390-16-034, filed 2/7/96, effective 3/9/96. Statutory Authority: RCW 42.17.370. WSR 93-24-003, § 390-16-034, filed 11/18/93, effective 12/19/93.]