

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

WAC 390-19-010 Submission of required materials

~~electronically~~Intent of electronic filing. (1) The public disclosure commission (PDC) was created and empowered by initiative of the people to provide timely and meaningful public access to information about the financing of political campaigns, lobbyist expenditures, and the financial affairs of public officials and candidates, and to ~~insure~~ ensure compliance with ~~this chapter~~contribution limits and other ~~campaign finance restrictions.~~

(2) Full and prompt access to the ~~information~~political finance ~~data required~~filed by persons subject to the law is best realized through ~~wide-spread~~ use of electronic ~~reporting~~filing ((alternatives)). For this reason, tThe Washington state legislature and the commission ~~has~~es mandated the use of~~at~~ ((certain)) filers ~~submit their PDC reports~~ electronically reporting, and the commission also requires that other materials, such as applications, statements, notices, payments, or other items required under the provisions of chapter 42.17A RCW be submitted to the PDC electronically, where the

~~PDCcommission has made an electronic filing method available. The PDC makes available to all candidates, public officials, lobbyists, lobbyist employers, and political committees that are required to file reports under this chapter electronic filing ((alternatives)) for submitting reports((, and encourages all persons required to report under the disclosure law to utilize the electronic filing alternatives provided by the PDC)).~~

(3) Persons subject to reporting requirements under this chapter must file reports using the electronic reporting method provided or approved by the PDC.

(4) Persons required to provide the PDC with electronic contact information must provide an email address or other electronic format, if such alternate format has been approved by the PDC.

(5) Any person required to provide information electronically, or required to provide electronic contact information, but who does not do so, is in violation of RCW ((42.17A.245)) 42.17A.055 and may be subject to enforcement action unless the person has sought and been granted an exception under WAC 390-19-050.

[Statutory Authority: RCW 42.17A.110(1) and 2018 c 304. WSR 18-24-074, § 390-19-010, filed 11/30/18, effective 12/31/18. Statutory

Authority: RCW 42.17.370. WSR 01-22-052, § 390-19-010, filed 10/31/01, effective 1/1/02.]

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

~~WAC 390-19-020 Electronic filing Mandatory filing. (1) ((RCW 42.17A.245 mandates that persons meeting the qualifying criteria in that section file all contribution and expenditure reports by electronic means.~~

~~(2) Persons filing by electronic means shall register with the PDC and receive a filer identification number and password. Filers must have a current C-1 Candidate Registration Statement or a C-1pe Committee Registration Statement on file with the PDC prior to receiving a filer identification number.~~

~~(3) A filer subject to RCW 42.17A.245 shall file all PDC C-3 and C-4 reports and all appropriate schedules electronically in compliance with subsection (5) of this section.~~

~~(4)) All persons required to provide the commission with electronic contact information, may provide an email address or other~~

~~electronic format, if such alternate format has been approved by the PDC.~~

~~(2) Any filer required to filereport electronically, but who files on paper, is in violation of RCW ((42.17A.245)) 42.17A.055 and may be subject to enforcement action unless the filer is a candidate who has sought and been granted an exception from electronic filing under WAC 390-19-050.~~

~~((5)) (3) A filer subject to electronic filing shall file reports using ((one of the following:~~

~~(a) The ORCA software (Online Reporting of Campaign Activity) provided free of charge by the PDC; or~~

~~(b) Any other)) the electronic filing application provided or approved by the PDC.~~

~~((6) Pursuant to RCW 42.17A.055, state agencies reporting their legislative activities under RCW 42.17A.635 are required to file electronically.))~~

[Statutory Authority: RCW 42.17A.110(1) and 2018 c 304. WSR 18-24-074, § 390-19-020, filed 11/30/18, effective 12/31/18. Statutory Authority: RCW 42.17A.110 and 2015 c 72. WSR 16-04-027, § 390-19-020, filed 1/25/16, effective 2/25/16. Statutory Authority: RCW 42.17A.110. WSR 12-03-002, § 390-19-020, filed 1/4/12, effective 2/4/12. Statutory

Authority: RCW 42.17.370(1). WSR 10-04-058, § 390-19-020, filed 1/29/10, effective 3/1/10. Statutory Authority: RCW 42.17.370. WSR 09-02-021, § 390-19-020, filed 12/30/08, effective 1/30/09; WSR 01-22-052, § 390-19-020, filed 10/31/01, effective 1/1/02.]

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

WAC 390-19-0240 ((Electronic)) Electronic submission of required materials~~Filing~~—Date of receipt, verification, and amendments.

(1) An electronic report is filed when it is received and validated by the PDC computer system. The PDC ~~will~~shall notify the ~~person reporting~~filer that the electronic report has been received.

(2) An electronic report is timely filed if received on or before 11:59 p.m. Pacific Time on the prescribed ~~reporting~~filing date.

(3) An electronic report that is infected with a virus, damaged, or is improperly formatted is not properly filed with the PDC and ~~will~~shall be rejected.

(4) To amend an electronically filed report, the ~~filer shall~~ electronically refile the entire report must be electronically refiled.

~~(5) A mailed item may not be substituted for an item required to be electronically filed. However, W~~where no electronic method has been provided, or where the executive director has approved a hardship exemption to the electronic ~~filing~~ requirement, the date of receipt of any properly addressed mailed application, report, statement, notice, payment, or other item required under the provisions of chapter 42.17A RCW is the date shown by the post office cancellation mark on the envelope. Any item mailed to the ~~PDC~~commission under the provisions of chapter 42.17A RCW that does not include a post office cancellation mark is presumed to be ~~provided~~filed timely if received by the PDC within five business days of the due date.

[Statutory Authority: RCW 42.17A.110(1) and 2018 c 304. WSR 18-24-074, § 390-19-040, filed 11/30/18, effective 12/31/18. Statutory Authority: RCW 42.17.370. WSR 01-22-052, § 390-19-040, filed 10/31/01, effective 1/1/02.]

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

WAC 390-19-0350 Electronic submission of required

~~materials~~filing—**Exceptions.** ((-1-)) The PDC executive director may

make exceptions on a case-by-case basis for (~~candidates whose authorized committees~~) persons who lack the technological ability to submit required materials~~file reports~~ electronically.

(~~(2) A candidate~~) A person seeking an exception (~~under RCW 42.17A.245~~) ~~must~~shall electronically file with the executive director of the PDC a written statement of reasons why the (~~authorized committee~~) person lacks the ability to submit required materials~~file reports~~ electronically. For required reports, t~~The~~ request should be submitted by the tenth day of the month preceding the month in which the report is due so that action on the request can be completed before the filing deadline. The request does not suspend the reporting requirement of any portion of chapter 42.17A RCW. Upon receipt of a filed request, the executive director may request further information from the applicant in consideration of the request. The executive director willshall issue a decision to approve or deny a request for an exception to an electronic ~~submittal~~filing requirement within thirty days of receiving a filed request, which may be extended if further information is provided upon request by the executive director.

[Statutory Authority: RCW 42.17A.110(1) and 2018 c 304. WSR 18-24-074, § 390-19-050, filed 11/30/18, effective 12/31/18. Statutory Authority:

RCW 42.17A.110. WSR 12-03-002, § 390-19-050, filed 1/4/12, effective 2/4/12. Statutory Authority: RCW 42.17.370. WSR 01-22-052, § 390-19-050, filed 10/31/01, effective 1/1/02.]

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 390-19-030

Electronic filing—Reporting threshold.