

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

WAC 390-19-010 ~~((Intent of electronic filing.))~~ **Submission of required materials electronically.** (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 ~~((contribution limits and other campaign finance restrictions))~~ this chapter.

(2) Full and prompt access to the ~~((political finance data filed))~~ information required by persons subject to the law is best realized through ~~((wide-spread))~~ use of electronic ~~((filing alternatives.))~~ reporting. For this reason, the Washington state legislature ~~((has mandated that certain filers submit their PDC reports electronically. 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))~~ and the commission have mandated the use of electronic 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 PDC has made an electronic method available.

(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.055 and may be subject to enforcement action unless the person has sought and been granted an exception under WAC 390-19-050.

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WAC 390-19-040 **Electronic ((filing)) submission of required materials—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 ~~((shall))~~ will notify the ~~((filer))~~ person reporting 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 ~~((filing))~~ reporting date.

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

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

(5) Where no electronic method has been provided, or where the executive director has approved a hardship exemption to the electronic 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 under the provisions of chapter 42.17A RCW that does not include a post office cancellation mark is presumed to be provided timely if received by the PDC within five business days of the due date.

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WAC 390-19-050 Electronic ~~((filing))~~ submission of required materials—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 ~~((file reports))~~ submit required materials electronically.

~~((2) A candidate))~~ A person seeking an exception ~~((under RCW 42.17A.245 shall))~~ must electronically file with the executive director of the PDC a written statement of reasons why the ~~((authorized committee))~~ person lacks the ability to ~~((file reports))~~ submit required materials electronically. For required reports, 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 will issue a decision to approve or deny a request for an exception to an electronic submittal requirement within thirty days of receiving a filed request, which may be extended if further information is provided upon request by the executive director.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 390-19-020	Electronic filing—Mandatory filing.
WAC 390-19-030	Electronic filing—Reporting threshold.