



State of Washington
PUBLIC DISCLOSURE COMMISSION

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Memo

To: Commissioners
From: Sean Flynn, General Counsel
Date: June 20, 2024
Re: APA Rulemaking Petition re Sponsor Identification Exemption

The petitioner, Jim Lazar, submitted a rulemaking petition on May 28, 2024. The petition requests the Commission to amend the rules regarding exemptions from sponsor identification on political advertising, specifically where the size of the advertisement is smaller than 4in x 15 in. See WAC 390-18-030. The petition requests to change the measurement to 60 sq. in., in order to account for advertising produced in different shapes.

Under the Administrative Procedure Act (APA), a person may petition an agency requesting the adoption, repeal, or amendment of a rule. Within 60 days of the submission of a petition, the agency must either deny the petition, or initiate the rulemaking process. If the Commission denies the petition, it must state its reasons for the denial, addressing the concerns raised and alternative means of addressing the concerns, where appropriate.

The Commission recently has had discussion about the exemptions for sponsor identification regarding implementation of HB 2032, which removes the exemption for sponsor ID on yard signs. The Commission adopted emergency rules for enforcement of the new law, and also directed PDC staff to prepare recommendations for permanent rulemaking after the 2024 election cycle. Staff has included this topic in the proposed rulemaking development agenda, which is prepared for consideration and adoption the Commission meeting on June 27th.

PDC staff believe that the subject of this petition can be addressed within the scope of the Commission's decision to consider amending sponsor identification exemptions. Therefore, specific rulemaking on the petition is not warranted at this time as the subject of the petition can be incorporated into the Commission's existing plans.