



State of Washington
PUBLIC DISCLOSURE COMMISSION

711 Capitol Way Rm. 206, PO Box 40908 • Olympia, Washington 98504-0908

(360) 753-1111 • FAX (360) 753-1112

Toll Free 1-877-601-2828 • E-mail: pdcc@pdcc.wa.gov • Website: www.pdcc.wa.gov

To: PDC commissioners

From: Kim Bradford, Deputy Director

Date: July 16, 2024

Re: Amendment of Interpretation 02-01 to address recent redistricting

State law sets limits on the amount that political parties and caucus committees can contribute to legislative candidates based on the number of registered voters within each legislative district. (See RCW 42.17A.405(4) and (6).) The count of registered voters that establishes the new limit each year is taken from the prior general election.

This indexing poses challenges during times of redistricting when the lines of legislative districts change because no general election has occurred yet in the new districts.

In 2002, the first redistricting cycle after the creation of contribution limits, the Commission established that it would use an alternate date for determining voter counts. Interpretation 02-01 recognized the number of registered voters in the new districts as of June 30, 2002. The Commission amended the Interpretation in 2011, before the 2012 redistricting, and moved up the date for calculating registered voters to May 14, 2012, the beginning of the candidate filing period. It acted again in 2022, recognizing May 16, 2022 – also the beginning of the candidate declarations period – as the date from which limits would be set.

Since that time, a federal court has heard a challenge to the redistricting map created by the Washington State Redistricting Commission. U.S. District Court Judge Robert Lasnik ruled last year that the approved maps violated the Voting Rights Act and in March issued an order approving new boundaries. The decision has been appealed, but that process is not expected to pose an impact to legislative district elections until 2026 (or potentially 2025 at the earliest) after the U.S. Supreme Court declined to block implementation of the new map.

The new map alters the number of registered voters in 13 legislative districts across 12 counties. PDC staff recommend the Commission update Interpretation No. 02-01 to provide a new benchmark for calculating contribution limits for those 13 districts. The Secretary of State's office advises that they can easily provide the registered voter counts as of May 6, 2024, which was the first day of declarations week.

The Commission might consider amending its interpretation to make such a date the default, for both decennial redistricting and alterations made off-schedule. That change would provide long-term

certainty and provide staff direction to act expediently when necessary, while preserving the Commission's ability to revisit the Interpretation at any time if circumstances warrant it.