PREPROPOSAL STATEMENT OF INQUIRY

CR-101 (October 2017)
(Implements RCW 34.05.310)

Do **NOT** use for expedited rule making

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: October 08, 2025
TIME: 10:45 AM

WSR 25-21-034

Agency: Public Disclosure Commission

Subject of possible rule making: Creating an exemption from contribution limits for funding a political party's sample ballot when the sample ballot includes the party's position on a ballot proposition.

Statutes authorizing the agency to adopt rules on this subject: RCW 42.17A.110.

Reasons why rules on this subject may be needed and what they might accomplish: A rule change was proposed through a petition submitted to the Commission by the State Democratic Party on March 18, 2025. The petition proposed to exempt funding of a political party's sample ballots from contribution limits when the sample ballot includes the party's position on a ballot proposition. The current rule provides that sample ballots meeting certain criteria are not considered contributions to the candidates listed on the card. One restriction is that the sample ballot may not include any ballot proposition on the sample ballot. The petition sought to permit the inclusion of ballot propositions, so long as there is no additional statements about the sponsor's reasons for supporting or opposing the ballot proposition, or indicating any candidate's support for or opposition to a ballot proposition

The petition stated that a rule change was needed to amend the content permitted in party slate cards that are exempt from contribution limits. The petition stated that both major political parties have recently increased participation in the ballot initiative process. The 2024 election cycle included party involvement in several high-profile ballot initiative campaigns, which is expected to continue in upcoming elections. The parties use sample ballots to inform the public on the positions each party takes in elections.

The petition was presented at the Commission's public meetings on April 24, May 22nd and June 26th, 2025. The Commission conducted extensive outreach to engage the public on this issue. The Commission granted the petition and adopted a rule change through emergency rulemaking, in order for the change to be effective during the 2025 election cycle. The emergency rule will expire after the 2025 general election.

Under the current rules, the parties are limited in producing sample ballots that include the positions taken on ballot propositions, which can effectively prevent the parties from disseminating information to help inform the public on the election. Rulemaking is under consideration to implement the purpose of the Fair Campaign Practices Act and to help fully inform the public concerning the positions of political parties on ballot propositions.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies: Federal Elections Commission. The PDC will review FEC rules and guidance on this subject as it applies to federal election campaigns.

Process for developing new rule (check all that apply):

- ☐ Negotiated rule making
- ☐ Pilot rule making
- ☒ Agency study
- ☐ Other (describe)

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting:

(If necessary)

Name: PDC Administration	Name:
Address: 711Capitol Way S.; Ste. 206; Olympia, WA 98504	Address:
Phone: 360-753-1111	Phone:
Fax: 360-753-1112	Fax:
TTY:	TTY:
Email: pdc@pdc.wa.gov	Email:
Web site: www.pdc.wa.gov	Web site:
Other:	Other:
Additional comments:	

Date: October 8, 2025	**Signature:** 
Name: Sean Flynn	
Title: General Counsel	