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MEMORANDUM
To: Commissioners
From: Kim Bradford, Deputy Director
Date: May 25, 2026

Background

During much of the year, campaigns file reports only when they have a deposit to report or more than $750 in activity. That changes in the runup to an election: Candidates and committees participating in that election must file a C-4 (expenditure) report – regardless of level of activity – 21 days and 7 days before the election, and a post-election report on the 10th of the month following the election. RCW 29B.25.090(2)

In 2024, the statewide election system administered by Secretary of State's Office was for the first time able to give the PDC usable data that allowed us to identify candidates participating in the primary and general elections. On that basis, PDC staff built a C-4 reminder system that allowed us to notify candidates of upcoming or missed C-4 deadlines.[1]

After a successful first year, staff and the Commission discussed adding C-4 reports to the usual schedule of Group Enforcement (GE), in which staff initiate cases based on missed deadlines and take groups of like-situated respondents to hearing.

Historically, GE (conducted annually for lobbyists' L-2s, lobbyist employers' L-3s, elected and appointed officials' F-1s, and candidates' C-1s and F-1s) includes a warning notice followed by a hearing notice and an offer to enter into a Statement of Understanding to avoid the hearing.

To accommodate a fifth installment of GE without additional staff, continue to meet notice requirements, and preserve a bare minimum of capacity to handle heavy complaint volumes, staff proposed a more streamlined process that eliminated some of the traditional components of GE. Staff also offered the Commission two options: Take candidates who hadn't filed one report (21-day C-4) to hearing on the eve of the primary election, or set a later hearing date to include anyone who hadn't filed one or both of the pre-election C-4s. The Commission chose the latter.

[1] Such automated systems are not possible yet for committees. During the 2026 legislative session, agency-request legislation proposed changes that would have allowed such reminders/compliance tracking. It passed the Senate, but did not make it out of the House.

Attributes of 2025 GE for C-4 reports:

- No warning notice or SOU offered (candidates did receive overdue notices from filer assistance as part of the reminder cycle)
- Hearing date after the primary election
- Suspended penalties covered future report dates

Benefits:

- Was "one-and-done" rather than trying to schedule campaigns for multiple hearing dates for a cycle of six reports.
- Got candidates who were proceeding to the general election to a hearing prior to the election.
- Incentivized future compliance.

Drawbacks:

- Primary election voters did not have the benefit of knowing about pending enforcement.
- Suspension hard to track and to apportion.
- One of report deadlines came before the hearing but because of notice provisions could not be included in the hearing notice/charging document.

Mandatory C-4 report compliance by candidates in the 2025 election:

Primary election:

About 375 candidates owed mandatory C-4s.
Staff opened 49 cases. Of those, 26 remain non-compliant.
Overall compliance rate for primary election C-4s: 93 percent

General election:

About 746 candidates owed mandatory C-4s.
Staff opened additional 67 cases following the post-election general C-4.
(7 non-compliant respondents had previous cases)
29 of those respondents remain non-compliant.
Overall compliance rate for general election C-4s: 89 percent
The majority (60+ percent) of non-compliant candidates lost the election.

Possible 2026 approach to candidate C-4 Group Enforcement

Based on lessons learned, staff is proposing a hybrid model for 2026 that moves up case initiation but keeps the same hearing timeline to preserve the consolidation of C-4 reporting enforcement activity.

- Open cases in late July against candidates who fail to file the 21-day or 7-day C-4 or both.
- Set hearing date for late September.
- Following the post-primary C-4 deadline on Sept. 10, amend or issue hearing notice for any respondents who missed the additional report.
- Offer $0 SOUs to any respondent who has come into compliance by that date by filing all three reports.

Benefits:

- Incentivizes compliance – only candidates who file get SOU offer.
- Either outcome – SOU or hearing – counts as a prior offense that will be taken into consideration in future enforcement matters.
- Primary election voters will have benefit of notice of pending enforcement.
- Preserves limited administrative staff resources required to process payments.

Drawbacks:

- More complicated process pre-hearing.
- Could mean more than one C-4 case against a candidate in the same cycle.
- Could bump F-1 annual enforcement into late 2026 or 2027.