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TO: Commissioners

FROM: Sean Flynn, General Counsel

DATE: July 16, 2026

RE: Rules Development Agenda for July 2026 through December 2026

The Administrative Procedure Act requires state agencies to prepare a biannual rules development agenda that includes the issues under consideration for rulemaking for the upcoming six-month period. RCW 34.05.314. Agendas are published in the State Register at the end of January and July each year. Staff proposes the following rulemaking agenda for the period from July 2026 through December 2026:

- Update campaign reporting for political advertising and other expenditure activity (Chapter 390-16 WAC).
  Campaigns are required to report the purpose of each expenditure, including details on the activity, source and vendor information. Over the last few years, the Commission has reviewed and analyzed the policy and mechanisms for improving disclosure in the evolving area of digital political advertising. A product of this work was the adoption of rules updating the requirements for commercial advertisers to maintain records of the digital political advertising they sell. Another step in this work is focusing on the detail of campaign reporting of expenditures on political advertising. The Commission will consider updating the rules regarding the reporting of campaign expenditure activity, including political advertising in digital and other media.

  Note: CR-101 filed April 10, 2026 (WSR 26-09-058)

- Updating the application of the Fair Campaign Practices Code alternative complaint publication process (Chapter 390-32 WAC).

  The Fair Campaign Practices Code provides an alternative method for processing complaints by publication. The method of publication includes sending

complaints and responses to the “news media.” The Fair Campaign Practices Code was adopted in 1977, and the alternative publication process first was adopted in 2016. While there has been significant amendments made to the complaint process in the Fair Campaign Practices Act since that time, the publication process has not changed much since its adoption in 2016.The scope and utility of the publication alternative will be considered for updating to address current practices including the specification of the method of publication.

Note: Public hearing set for August 27, 2026.

Action Requested: Staff requests the Commission adopt the attached rules development agenda for publication in the Washington State Register.