AMENDATORY SECTION (Amending WSR 26-01-209, filed 12/24/25, effective 1/1/26)

WAC 390-32-030 Complaint publication—Fair Campaign Practices Code—Alternative to investigation or adjudicative proceeding. (1) Written and signed complaints alleging a violation of one or more specific provisions of WAC 390-32-010((~~.~~)), The Fair Campaign Practices Code, may be submitted to the commission by any person.

(a) Subject to the limitations in subsection (4) of this section, upon receipt of a complaint under subsection (1) of this section, the executive director shall forward a copy of the complaint to the respondent within 24 hours, accompanied by a request for a response to the complaint returned within five business days, or such other reasonable period not less than five business days that the executive director may specify, from the date of mailing.

(b) Upon receipt of any response, the executive director shall ((~~forward a copy of the response to~~)) notify the complainant((~~. A copy of~~)) and publish the complaint and the response ((~~shall be sent to news media~~)) on the commission's website at the expiration of the ((~~five business days~~)) specified period for response. The complaint and the response shall be available at the commission office for public inspection and copying. If no response is received within ((~~five business days~~)) the specified period, the complaint shall be ((~~made public~~)) published without a response.

(c) The commission will not issue comments or opinions about complaints or responses received ((~~under this subsection~~)) pertaining to alleged violations of the Fair Campaign Practices Code.

(2) As provided by WAC 390-37-060, and considering the factors set forth in WAC 390-37-061, the executive director may authorize the processing of a complaint alleging violations of Title((~~s~~)) 29B RCW or 390 WAC according to the complaint publication process provided in this section.

(a) ((~~Subject to the limitations in subsection (4) of this section,~~)) Upon receipt of a complaint authorized by the executive director for processing under this subsection, the executive director shall forward a copy of the complaint to the respondent, accompanied by a request for a response to the complaint to be returned within five business days, or such other reasonable period not less than five business days that the executive director may specify, from the date of mailing.

(b) ((~~Complaints authorized by the executive director for processing under this subsection shall be forwarded to the respondent within eight days prior to the date that ballots must be available under RCW 29A.40.070(1).~~

~~(c)~~)) Upon receipt of any response, the executive director shall ((~~forward a copy of the response to~~)) notify the complainant((~~. A copy of~~)) and publish the complaint and the response ((~~shall be sent to news media~~)) on the commission's website at the expiration of the ((~~five business days~~)) specified period for response. The complaint and the response shall be available at the commission office for public inspection and copying. If no response is received within ((~~five days~~)) the specified period, the complaint shall be ((~~made public~~)) published without a response.

((~~(d)~~)) (c) Except as provided under ((~~(a) or (b) of this~~)) subsection (3) of this section, the publication of complaints or respon-

ses under this subsection shall constitute the final disposition of complaints authorized by the executive director for processing under this section.

(3) Following the processing of a complaint under subsection (2) of this section, the executive director shall review the complaint and any response received. Whenever a complaint and response indicate that a material violation of Title 29B RCW may have occurred and/or the respondent may not be in substantial compliance with the relevant statutes and rules, considering the factors set forth in WAC 390-37-061, the executive director may:

(a) Dispose of the complaint through an additional alternative response as provided in WAC 390-37-060; or

(b) Direct a formal investigation be conducted.

(4) The commission will make no attempt to secure a reply to and will make no public release of complaints alleging violations of the Fair Campaign Practices Code, under subsection (1) of this section, received within eight days of the date that ballots must be mailed to voters under RCW 29A.40.070(1).

(5) The filing of a complaint with the commission under this section or any provision of chapter 390-37 WAC constitutes implied consent to have the complainant's identity disclosed.