



State of Washington
PUBLIC DISCLOSURE COMMISSION
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BEFORE THE PUBLIC DISCLOSURE COMMISSION
OF THE STATE OF WASHINGTON

In Re: Compliance with RCW 42.17A

TikTok, owned by ByteDance,
Respondent.

PDC Case 157884

Findings of Fact,
Conclusions of Law, and
Order of Dismissal

Pursuant to the brief enforcement hearing (brief adjudicative proceeding) notice sent to TikTok, owned by ByteDance, on June 11, 2025, a brief adjudicative proceeding was held July 1, 2025, remotely from Olympia, WA by live audio and online transmission, to consider whether the Respondent violated RCW 42.17A.345 and WAC 390-18-050 by failing to provide inspection of its commercial advertiser books of account.

The hearing was held in accordance with Chapters 34.05 RCW, 42.17A RCW and Chapter 390-37 WAC. Commission Chair J. Leach was the Presiding Officer. The Commission staff was represented by Alice Fiman, Compliance Manager. The Respondent's counsel participated in the hearing and submitted written materials.

Having considered the evidence, the Presiding Officer finds as follows:

FINDINGS OF FACT

1. Jason Moon, a 2024 candidate for Washington State House of Representatives from the 21st District, made two expenditures to boost two posts on TikTok.

2. TikTok identified two \$24 expenditures by Jason Moon during the user's candidacy for the Washington State Legislature. According to the company's records, only one of these \$24 payments was used for the Promote feature on a video by Mr. Moon on TikTok. The second \$24 dollar payment, according to the company's records, was a "top up" on the account that was not ultimately used.
3. One of Mr. Moon's advertisements appeared on TikTok. In this one case, the user violated TikTok's policies against political advertisements.
4. TikTok's longtime ban on political advertising includes both paid ads on the platform and creators being paid directly to make branded content.
5. PDC staff has not provided any other evidence TikTok ran political advertising in Washington state.

CONCLUSIONS OF LAW

Based on the above facts, as a matter of law, the Presiding Officer concludes as follows:

1. This matter was duly and properly convened, and all jurisdictional, substantive, and procedural requirements have been satisfied.
2. The determinative issue is whether TikTok is a commercial advertiser as defined by Washington law, which would require TikTok to provide inspection of commercial advertiser books of account.
3. The acceptance of one \$24 paid advertisement, placed in violation of TikTok's terms of service, is insufficient to meet the definition of commercial advertiser under RCW 42.17A.005(10).

ORDER

ON the basis of the foregoing Findings of Fact and Conclusions of Law, the Presiding Officer declines to find a violation of RCW 42.17A.345 and WAC 390-18-050.

IT IS HEREBY ORDERED PDC Case 157884 is Dismissed.

This is an **Initial Order** of the Public Disclosure Commission.

Entered this 29th day of July, 2025.

Public Disclosure Commission

Electronically Signed
Peter Frey Lavallee
Executive Director

I, COORDINATOR NAME, certify that I mailed and emailed a copy of this order to the Respondent at their respective address postage pre-paid, and by email on the date stated herein.

Electronically Signed Alice Fiman
Signed

July 29, 2025
Date

APPEALS OF INITIAL ORDER

REVIEW OF INITIAL ORDER - BY THE COMMISSION

You may request that the full Commission review this initial order. To seek review, you must:

- Make the request orally or in writing, stating the reason for review, and identifying what alleged errors are contained in the initial order. *See* WAC 390-37-144(1). Staff may ask for written confirmation of oral requests for review.
- **REQUESTS FOR REVIEW MUST BE RECEIVED AT THE COMMISSION OFFICE WITHIN TWENTY-ONE (21) CALENDAR DAYS AFTER THE POSTMARK DATE OF THIS INITIAL ORDER.** Written requests for review should be delivered or mailed to the Washington State Public Disclosure Commission, 711 Capitol Way, Room 206, Box 40908, Olympia, WA 98504-0908.

If review of this initial order is timely requested, the full Commission will hear the matter. If the Commission is unable to schedule a meeting to consider the request within twenty (20) calendar days, this initial order becomes a final order, and any request for review will automatically be considered a request for reconsideration of a final order. *See* WAC 390-37-144(4). The matter would then be scheduled for consideration and disposition at the next Commission meeting at which it is practicable to do so.

A Respondent does not need to pay a penalty until after the Commission rules on a request for review of an initial order.

FURTHER APPEAL RIGHTS – SUPERIOR COURT

If the Commission does not receive a request for review of this initial order within twenty-one (21) calendar days, the initial order shall be the final order. *See* WAC 390-37-142(5).

YOU HAVE THE RIGHT TO APPEAL A FINAL ORDER TO SUPERIOR COURT, PURSUANT TO THE PETITION FOR JUDICIAL REVIEW PROVISIONS OF RCW 34.05.552.