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June 24, 2025

Jennifer Hansen
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Re: PDC Case No. 170419
BIL No.: 3263-9990

Dear Ms. Hansen,

I am writing on behalf of the Service Employees International Union 775 Quality Care Committee (Quality Care Committee or Committee) to respond to Case No. 170419. Based on your correspondence, we understand the PDC's inquiry to be focused on the allegation that the Quality Care Committee violated RCW 42.17A.235 and .240 by filing an amended C-4 report eight days after the reporting deadline and fifteen days after timely filing an initial report. For the reasons set forth below, the Quality Care Committee's filing of an amended C-4 is not a violation of the Fair Campaign Practices Act (FCPA or Act). Therefore, this complaint should be dismissed in its entirety.

Background

The Quality Care Committee first registered as a continuing committee with the PDC in 2009 and has timely filed hundreds of reports reflecting its contributions and expenditures. On March 3, 2025, the Committee filed a C-4 report for the period February 1–28, 2025. The Committee filed in advance of the March 10 reporting deadline because the deadline fell during a planned two-week vacation by the person responsible for the filing.

Upon returning from vacation, the person responsible for the Quality Care Committee's filing learned for the first time that the Committee had made an additional expenditure at the very end of the February reporting period, a contribution to the SEIU WA State Council PAC on February 28, 2025. The Committee immediately filed an amended report on March 18, 2025, accurately disclosing the expenditure. Additionally, the SEIU WA State Council PAC independently reported its receipt of this contribution on a C-3 report filed March 4, 2025.

On April 1, 2025, Conner Edwards filed a complaint against the Quality Care Committee alleging that its filing of an amended C-4 report eight days after the filing deadline violated RCW 42.17A.235 and

.240. The complaint also levied an additional allegation that the PDC has already determined is without merit. Mr. Edwards did not identify any impact that these alleged violations have had on the public.

Analysis

Under the FCPA, political committees must file reports of contributions and expenditures made as well as bank deposits on prescribed schedules. RCW 42.17A.235. However, amendments to previously filed reports are expressly allowed for under the Act. In fact, RCW 42.17A.235(10) contains an explicit safe harbor for certain amendments filed in close proximity to the applicable reporting deadline. It states:

Where there is not a pending complaint concerning a report, it is not evidence of a violation of this section to submit an amended report within 21 days of filing an initial report if:

- (a) The report is accurately amended;
- (b) The amended report is filed more than thirty days before an election;
- (c) The total aggregate dollar amount of the adjustment for the amended report is within three times the contribution limit per election or two hundred dollars, whichever is greater; and
- (d) The committee reported all information that was available to it at the time of filing, or made a good faith effort to do so, or if a refund of a contribution or expenditure is being reported.

Here, the Quality Care Committee's amendment to its February C-4 report clearly falls within this statutory safe harbor. There was no pending complaint concerning the February C-4 report at the time it was amended, and the amendment was made fifteen days after the initial filing. The report was accurately amended. The amended report was filed more than thirty days before any election, the next election being an April 22 special election. There were no contribution limits applicable to the Committee or the expenditure at issue, as both the Quality Care Committee and the SEIU WA State Council PAC are continuing committees. Therefore, no dollar limit applied to the expenditure adjustment. And, lastly, the Committee made a good faith effort to timely report based on the information that was available to the person responsible for filing at the time of filing on March 3.

Because the complained-of amendment falls within the safe harbor in RCW 42.17A.235(10), it does not violate the FCPA.¹

¹ Regardless of the safe harbor, neither the FCPA nor accompanying regulations impose automatic penalties for amended reporting. Such penalties would have the perverse effect of discouraging committees from correcting past errors or offering additional disclosure through amended reports. Moreover, the PDC's enforcement procedures recognize that the potential harm to the public of a committee's late reporting depends on the nature of the information being reported. Thus, a committee's failure to timely file accurate reports is a minor violation "[w]hen required information is not timely disclosed, but the public is not deprived of critical information" or "[w]hen incomplete information is disclosed, but a good faith effort to comply with disclosure is made, and the public is not deprived of critical information." WAC 390-37-061. Here, the information at issue was promptly disclosed to the public via the SEIU WA State Council PAC's own reporting, and the Committee made a good faith effort to comply with disclosure. Thus, dismissal is warranted even in the absence of the explicit statutory safe harbor.

Conclusion

For the reasons stated above, this complaint should be dismissed in its entirety. Please contact me with any questions or concerns at (206) 644-6002.

Sincerely,

A handwritten signature in black ink, appearing to read 'AL' or 'Abby Lawlor' in a stylized cursive script.

Abby Lawlor

*Counsel for SEIU Local 775 Quality Care
Committee*