

NEW SECTION

WAC 460-18A-200 Filing requirements—Regulation A Tier 2 offerings. The following provisions apply to offerings made under Tier 2 of federal Regulation A:

(1) Initial filing. An issuer planning to offer and sell securities in this state in an offering exempt under Tier 2 of federal Regulation A shall submit the following at least twenty-one calendar days prior to the initial sale in this state:

(a) A completed Regulation A - Tier 2 Offering Notice Filing Form or other document identifying the filing;

(b) A consent to service of process on Form U-2 if not provided in the Regulation A - Tier 2 Offering Notice Filing Form; and

(c) The filing fee prescribed by RCW 21.20.340 (3)(a).

The initial notice filing is effective for twelve months.

(2) Renewal. For each additional twelve-month period in which the same offering is continued, an issuer conducting a Tier 2 offering under federal Regulation A may renew the unsold portion of its notice filing by filing the following on or before the expiration of the notice filing:

(a) The Regulation A - Tier 2 Offering Notice Filing Form marked "renewal" and/or a cover letter or other document requesting renewal;

(b) The renewal fee prescribed by RCW 21.20.340 (3)(a) to renew the unsold portion of securities for which a filing fee has previously been paid; and

(c) If the amount of securities subject to the notice filing is being increased, the fee prescribed by RCW 21.20.340 (3)(a) to cover the increase in the amount of securities to be offered.

(3) Amendment. An issuer may increase the amount of securities offered in this state by submitting a Regulation A - Tier 2 Offering Notice Filing Form or other document describing the transaction and a fee calculated pursuant to RCW 21.20.340 (3)(a) to cover the increase in the amount of securities being offered.