



PROPOSED RULE MAKING

CR-102 (December 2017) (Implements RCW 34.05.320)

Do NOT use for expedited rule making

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STATE OF WASHINGTON
FILED

DATE: March 06, 2018

TIME: 3:19 PM

WSR 18-06-087

Agency: Secretary of State

Original Notice

Supplemental Notice to WSR _____

Continuance of WSR _____

Preproposal Statement of Inquiry was filed as WSR 17-10-038 ; or

Expedited Rule Making--Proposed notice was filed as WSR _____; or

Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1); or

Proposal is exempt under RCW _____.

Title of rule and other identifying information: (describe subject) Elections related to ballot declaration, ballot postmark, Security, Replacement ballots, recounts, voter intent, ballot signatures, initiative signatures, validation statistics, recounts, and other related subjects.

Hearing location(s):

Date: Time: Location: (be specific) Comment:

Date:	Time:	Location: (be specific)	Comment:
April 12, 2018	10:00 a.m.	Secretary of State Elections Office 520 Union Ave. SE Olympia, WA 8501	

Date of intended adoption: April 13 (Note: This is NOT the effective date)

Submit written comments to:

Name: Sheryl Moss

Address: PO Box 40229, Olympia, WA 98504-0229

Email: sheryl.moss@sos.wa.gov

Fax: (360) 664-4619

Other:

By (date) March 26, 2018

Assistance for persons with disabilities:

Contact Sheryl Moss

Phone: (360) 902-4180

Fax: (360) 664-4619

TTY:

Email: sheryl.moss@sos.wa.gov

Other:

By (date) March 26, 2018

Purpose of the proposal and its anticipated effects, including any changes in existing rules: The proposed amendments provide statewide consistency in election administration and voter registration. The includes clarification of a voter's signature for ballots and state petitions, the ballot declaration, ballot postmark, recounts, voter intent, replacement ballots, ballot processing, testing of tabulation programing and accessible voting units, validation statistics, secure storage and locations. .

Reasons supporting proposal: Changes clarify procedures for the improvement of election administration, voter registration, and the initiative process for statewide consistency.

Statutory authority for adoption: RCW 29A.04.611

Statute being implemented:

Is rule necessary because of a:

Federal Law?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Federal Court Decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
State Court Decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

If yes, CITATION:

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:

Name of proponent: (person or organization) Office of the Secretary of State

<input type="checkbox"/> Private
<input type="checkbox"/> Public
<input checked="" type="checkbox"/> Governmental

Name of agency personnel responsible for:

	Name	Office Location	Phone
Drafting:	Sheryl Moss, Miriam Campbell	PO Box 40229, Olympia WA 98504	(360) 902-4180
Implementation:	Sheryl Moss, Miriam Campbell	PO Box 40229, Olympia WA 98504	(360) 902-4180
Enforcement:	Sheryl Moss	PO Box 40229, Olympia WA 98504	(360) 902-4180

Is a school district fiscal impact statement required under RCW 28A.305.135? Yes No

If yes, insert statement here:

The public may obtain a copy of the school district fiscal impact statement by contacting:

Name:
Address:
Phone:
Fax:
TTY:
Email:
Other:

Is a cost-benefit analysis required under RCW 34.05.328?

Yes: A preliminary cost-benefit analysis may be obtained by contacting:

Name:
Address:
Phone:
Fax:
TTY:
Email:
Other:

No: Please explain: Not applicable.

Regulatory Fairness Act Cost Considerations for a Small Business Economic Impact Statement:

This rule proposal, or portions of the proposal, **may be exempt** from requirements of the Regulatory Fairness Act (see chapter 19.85 RCW). Please check the box for any applicable exemption(s):

This rule proposal, or portions of the proposal, is exempt under RCW 19.85.061 because this rule making is being adopted solely to conform and/or comply with federal statute or regulations. Please cite the specific federal statute or regulation this rule is being adopted to conform or comply with, and describe the consequences to the state if the rule is not adopted.

Citation and description:

This rule proposal, or portions of the proposal, is exempt because the agency has completed the pilot rule process defined by RCW 34.05.313 before filing the notice of this proposed rule.

This rule proposal, or portions of the proposal, is exempt under the provisions of RCW 15.65.570(2) because it was adopted by a referendum.

This rule proposal, or portions of the proposal, is exempt under RCW 19.85.025(3). Check all that apply:

RCW 34.05.310 (4)(b)
(Internal government operations)

RCW 34.05.310 (4)(e)
(Dictated by statute)

RCW 34.05.310 (4)(c)
(Incorporation by reference)

RCW 34.05.310 (4)(f)
(Set or adjust fees)

RCW 34.05.310 (4)(d)
(Correct or clarify language)

RCW 34.05.310 (4)(g)
((i) Relating to agency hearings; or (ii) process requirements for applying to an agency for a license or permit)

This rule proposal, or portions of the proposal, is exempt under RCW ____.

Explanation of exemptions, if necessary:

COMPLETE THIS SECTION ONLY IF NO EXEMPTION APPLIES

If the proposed rule is **not exempt**, does it impose more-than-minor costs (as defined by RCW 19.85.020(2)) on businesses?

No Briefly summarize the agency's analysis showing how costs were calculated. _____

Yes Calculations show the rule proposal likely imposes more-than-minor cost to businesses, and a small business economic impact statement is required. Insert statement here:

The public may obtain a copy of the small business economic impact statement or the detailed cost calculations by contacting:

- Name:
- Address:
- Phone:
- Fax:
- TTY:
- Email:
- Other:

Date: March 6, 2018

Name: Mark Neary

Title: Assistant Secretary of State

Signature: