Agency: Office of the Secretary of State

Effective date of rule:
   Permanent Rules
      ☒ 31 days after filing.
      ☐ Other (specify) (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?
   ☐ Yes  ☒ No  ☐ If Yes, explain:

Purpose: These proposed rules create the processes to enact the opt-out automatic voter registration system established in Engrossed Second Substitute Senate Bill 5112 (SB 5112) (2023) in a manner that ensures consistency in counties throughout the state, provide clarification on disclosure timelines related to primary-only voters in Senate Bill 5153 (2023), and create a new voter registration application form in accordance with SB 5112 (2023) and the March 15, 2024, Consent Decree entered in Washington State Alliance for Retired Americans v. Hobbs, et al., W.D.WA. Case No. 3:23-CV-06014-TMC.

Citation of rules affected by this order:
   New: WAC 434-324-104
   Amended: WAC 434-232-040, WAC 434-250-120, WAC 434-324-005, WAC 434-324-026

Statutory authority for adoption: RCW 29A.04.611

Other authority:

PERMANENT RULE (Including Expedited Rule Making)

Adopted under notice filed as WSR 24-11-136 on May 21, 2024 (date).

Describe any changes other than editing from proposed to adopted version: WAC 434-324-005 (OTS-5442.2) strikes the definition for “prospective registration applicant” that was proposed in OTS-5442.1.

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:

Name:
Address:
Phone:
Fax:
TTY:
Email:
Web site:
Other:
Note: If any category is left blank, it will be calculated as zero. No descriptive text.

Count by whole WAC sections only, from the WAC number through the history note. A section may be counted in more than one category.

The number of sections adopted in order to comply with:

Federal statute: New ___ Amended ___ Repealed ___
Federal rules or standards: New ___ Amended ___ Repealed ___
Recently enacted state statutes: New ___ Amended ___ Repealed ___

The number of sections adopted at the request of a nongovernmental entity:

New ___ Amended ___ Repealed ___

The number of sections adopted on the agency’s own initiative:

New 1 Amended 4 Repealed 0

The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New 1 Amended 4 Repealed 0

The number of sections adopted using:

Negotiated rule making: New 1 Amended 4 Repealed 0
Pilot rule making: New ___ Amended ___ Repealed ___
Other alternative rule making: New ___ Amended ___ Repealed ___

Date Adopted: July 25, 2024
Name: Amanda Doyle
Title: Secretary of State Chief of Staff

Signature: