Concise Explanatory Statement

Rulemaking: Voter registration database record information disclosed.
WAC 434-324-145

Filed as Emergency Rulemaking: December 5, 2025
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Introduction

The Elections Division of the Office of the Secretary of State created a rule to clarify existing statutes detailing certain data points in a voter registration record or application as non-disclosable and criminal penalties for unauthorized disclosure of private voter data. This document will serve as the Concise Explanatory Statement (CES) for this emergency rulemaking.

Rule Summary and Agency Reason for Adoption

Rule Summary

NEW SECTION

WAC 434-324-145 Voter registration database record information furnished. The Washington driver's license number, Washington identification card number, Social Security number, and full date of birth shown on the affidavit of voter registration or included in the voter registration record are confidential and shall not be knowingly disclosed to any person except to state or local election officials and election officers unless authorized by the office of the secretary of state. A violation of this section shall constitute the improper use of information in the statewide voter registration database under RCW 29A.84.150.

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Agency Reason for Adoption

Beginning in 1992, state law lists certain data points in a voter registration record or files regarding voters as available for public inspection and copying; the registration data points not listed in statute are not publicly disclosable to protect voter privacy.

A separate state law details the penalty for use of the voter registration database in a manner inconsistent with official duties as a class C felony, subject to five years in prison, a $10,000 fine, or both.

The Office of the Secretary of State is proposing legislation to clarify this connection in statute. This emergency rulemaking was filed in the meantime to ensure consistency across the state in responding to public records requests for data from the voter registration database.

Public Comment and Responses

Comment Period

Not applicable.

Public Hearing

Not applicable.

Changes to Rule (Proposed versus Adopted)

Not applicable.

Finding Rulemaking Information

You may find all Washington State Register (WSR) filings submitted by the Office of the Secretary of State by visiting the Office of the Code Reviser's website, and election-specific filing information can be found on the OSOS Elections Rulemaking page.