Chapter 434-381 WAC
STATE VOTERS' PAMPHLET

(Formerly chapter 434-81 WAC)

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WAC

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DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

434-381-010 Committees to write arguments for and against constitutional amendments, referendum bills, and alternatives to initiatives to the legislature. [WSR 98-08-010, recodified as § 434-381-010, filed 3/18/98, effective 3/18/98. Statutory Authority: RCW 29.81.070. WSR 79-05-024 (Order 79-1), § 434-81-010, filed 4/17/79.] Repealed by WSR 02-02-067, filed 12/28/01, effective 1/28/02. Statutory Authority: RCW 29.81.320.

434-381-020 Committees to write arguments for and against initiatives, initiatives to the legislature, and referendum measures. [WSR 98-08-010, recodified as § 434-381-020, filed 3/18/98, effective 3/18/98. Statutory Authority: RCW 29.81.070. WSR 79-05-024 (Order 79-1), § 434-81-020, filed 4/17/79.] Repealed by WSR 02-02-067, filed 12/28/01, effective 1/28/02. Statutory Authority: RCW 29.81.320.

434-381-030 Additional members on committees to draft arguments for the voters pamphlets. [WSR 98-08-010, recodified as § 434-381-030, filed 3/18/98, effective 3/18/98. Statutory Authority: RCW 29.81.070. WSR 79-05-024 (Order 79-1), § 434-81-030, filed 4/17/79.] Repealed by WSR 02-02-067, filed 12/28/01, effective 1/28/02. Statutory Authority: RCW 29.81.320.

434-381-040 Selection of a chairperson for committees to draft arguments for or against measures appearing in the voters pamphlet. [WSR 98-08-010, recodified as § 434-381-040, filed 3/18/98, effective 3/18/98. Statutory Authority: RCW 29.81.070. WSR 79-05-024 (Order 79-1), § 434-81-040, filed 4/17/79.] Repealed by WSR 02-02-067, filed 12/28/01, effective 1/28/02. Statutory Authority: RCW 29.81.320.

434-381-050 Advisory committees. [WSR 98-08-010, recodified as § 434-381-050, filed 3/18/98, effective 3/18/98. Statutory Authority: RCW 29.81.070. WSR 79-05-024 (Order 79-1), § 434-81-050, filed 4/17/79.] Repealed by WSR 02-02-067, filed 12/28/01, effective 1/28/02. Statutory Authority: RCW 29.81.320.

434-381-060 Length of statements and rebuttals. [WSR 98-08-010, recodified as § 434-381-060, filed 3/18/98, effective 3/18/98. Statutory Authority: RCW 29.81.070. WSR 79-05-024 (Order 79-1), § 434-81-060, filed 4/17/79.] Repealed by WSR 02-02-067, filed 12/28/01, effective 1/28/02. Statutory Authority: RCW 29.81.320.

434-381-070 Restrictions on the style of statements in the voters pamphlets. [WSR 98-08-010, recodified as § 434-381-070, filed 3/18/98, effective 3/18/98. Statutory Authority: RCW 29.81.070. WSR 79-05-024 (Order 79-1), § 434-81-070, filed 4/17/79.] Repealed by WSR 02-02-067, filed 12/28/01, effective 1/28/02. Statutory Authority: RCW 29.81.320.

434-381-080 Submission of statements and rebuttals. [WSR 98-08-010, recodified as § 434-381-080, filed 3/18/98, effective 3/18/98. Statutory Authority: RCW 29.81.070. WSR 79-05-024 (Order 79-1), § 434-81-080, filed 4/17/79.] Repealed by WSR 02-02-067, filed 12/28/01, effective 1/28/02. Statutory Authority: RCW 29.81.320.

434-381-090 Rejection of statements for the voters pamphlet. [WSR 98-08-010, recodified as § 434-381-090, filed 3/18/98, effective 3/18/98. Statutory Authority: RCW 29.81.070. WSR 79-05-024 (Order 79-1), § 434-81-090, filed 4/17/79.] Repealed by WSR 02-02-067, filed 12/28/01, effective 1/28/02. Statutory Authority: RCW 29.81.320.

434-381-100 Editing of statements for the voters pamphlet. [WSR 98-08-010, recodified as § 434-381-100, filed 3/18/98, effective 3/18/98. Statutory Authority: RCW 29.81.070. WSR 79-05-024 (Order 79-1), § 434-81-100, filed 4/17/79.] Repealed by WSR 02-02-067, filed 12/28/01, effective 1/28/02. Statutory Authority: RCW 29.81.320.

WAC 434-381-110 Candidate and committee contacts. Every candidate or committee appearing in the state voters' pamphlet shall designate a contact person with whom the secretary shall communicate all matters related to the pamphlet. Within five business days of the appointment of the initial members, the committee shall provide a name, mailing address, telephone number, fax number and email address as applicable. In the case of candidates the secretary shall use the information on the declaration of candidacy unless the candidate provides different information pursuant to this section.

[Statutory Authority: RCW 29A.04.611, 29A.04.255. WSR 11-05-008, § 434-381-110, filed 2/3/11, effective 3/6/11. Statutory Authority: RCW 29.81.320. WSR 02-02-067, § 434-381-110, filed 12/28/01, effective 1/28/02.]

WAC 434-381-120 Deadlines. (1) Candidate statements and photographs shall be submitted to the secretary of state no later than 11 days following the last day of the filing period.

(a) A declared primary election write-in candidate may submit a statement and photograph to the secretary of state no later than the Tuesday following the primary election.

(b) An unopposed candidate on the primary ballot may submit a revised statement only when a write-in candidate for the same position files a declaration of candidacy. The revised statement must be received no later than the Tuesday following the primary election.

(2) For ballot measures, including initiatives, referenda, alternatives to initiatives to the legislature, and constitutional amendments, the following documents shall be filed with the secretary of state on or before the following deadlines:

(a) Appointments of the initial two members of committees to prepare arguments for and against measures:

(i) For an initiative to the people or referendum measure: No later than seven business days after the submission of signed petitions to the secretary of state;

(ii) For an initiative to the legislature, with or without an alternative, constitutional amendment or referendum bill, no later than seven business days after the adjournment of the regular or special session at which the legislature approved or referred the measure to the ballot;

(b) Appointment of additional members of committees to prepare arguments for and against ballot measures, no later than the date the committee submits its initial argument to the secretary of state;

(c) For arguments for or against a ballot measure:

(i) For an initiative to the people or referendum measure: No later than 10 business days following appointment of the initial committee members;

(ii) For an initiative to the legislature, with or without an alternative, constitutional amendment or referendum bill, no later than 14 business days following appointment of the initial committee members;

(d) Rebuttals of arguments for or against a ballot measure, no later than five business days following the transmittal of the final statement to the committees by the secretary. The secretary shall not transmit arguments to opposing committees for the purpose of rebuttals until both arguments are complete.

(3) If a ballot measure is the product of a special session of the legislature and the secretary of state determines that the deadlines set forth in subsection (2) of this section are impractical due to the timing of that special session, then the secretary of state may establish a schedule of deadlines unique to that measure.

(4) The deadlines stated in this rule are intended to promote the timely publication of the voters' pamphlet. Nothing in this rule shall preclude the secretary of state from accepting a late filing when, in the secretary's judgment, it is reasonable to do so. Once statements

or arguments are submitted to the secretary, changes by the candidate or committee will not be accepted unless requested by the secretary.

[Statutory Authority: RCW 29A.04.611. WSR 24-03-053, § 434-381-120, filed 1/10/24, effective 2/10/24; WSR 14-06-040, § 434-381-120, filed 2/26/14, effective 3/29/14. Statutory Authority: RCW 29A.04.611, 29A.04.620, and 29A.04.630. WSR 11-24-064, § 434-381-120, filed 12/6/11, effective 1/6/12. Statutory Authority: RCW 29A.04.611, 29A.04.255. WSR 11-05-008, § 434-381-120, filed 2/3/11, effective 3/6/11. Statutory Authority: RCW 29A.04.611. WSR 09-03-110, § 434-381-120, filed 1/21/09, effective 2/21/09; WSR 08-15-052, § 434-381-120, filed 7/11/08, effective 8/11/08; WSR 08-05-120, § 434-381-120, filed 2/19/08, effective 3/21/08. Statutory Authority: RCW 29A.04.610. WSR 04-15-089, § 434-381-120, filed 7/16/04, effective 8/16/04. Statutory Authority: RCW 29.81.320. WSR 02-02-067, § 434-381-120, filed 12/28/01, effective 1/28/02.]

WAC 434-381-130 Size and quality of photographs. Candidate photographs submitted for inclusion in the voters' pamphlet must have been taken within the past five years and not be digitally altered. Photographs must be limited to the head and shoulders, with a light-colored background, but not a white background. Color photographs are preferred, though black and white photographs are acceptable.

Candidate photographs may be submitted electronically to the office of the secretary of state for inclusion in the voters' pamphlet. Lab-processed matte prints meeting the size and quality specifications may also be submitted. If a physical printed photograph is submitted, the photograph size must be no smaller than two and one-half inches by three inches, and no larger than eight inches by ten inches.

The office of the secretary of state may adjust or crop photographs as necessary to fit the publication format. Photographs not meeting the specifications may be rejected.

[Statutory Authority: RCW 29A.04.611. WSR 26-08-043, s 434-381-130, filed 3/25/26, effective 4/25/26. Statutory Authority: RCW 29A.04.611, 29A.04.255. WSR 11-05-008, § 434-381-130, filed 2/3/11, effective 3/6/11. Statutory Authority: RCW 29.81.320. WSR 02-02-067, § 434-381-130, filed 12/28/01, effective 1/28/02.]

WAC 434-381-140 Restriction on photographs. No photograph submitted for inclusion in the voters pamphlet may reveal clothing or insignia suggesting the holding of a public office. Examples of such clothing or insignia include, but are not limited to, judicial robes, law enforcement or military uniforms, official seals or symbols similar thereto other than the flag of the state of Washington, or other similar indicia of public office.

[Statutory Authority: RCW 29.81.320. WSR 02-02-067, § 434-381-140, filed 12/28/01, effective 1/28/02.]

WAC 434-381-150 Rejection of photographs. The secretary may reject candidate photographs that do not meet the guidelines outlined by rule.

(1) The secretary will notify candidates whose photographs are being rejected;

(2) Candidates whose photographs are rejected by the secretary will be allowed to submit a new photograph;

(3) Replacement photographs must be submitted by the date specified by the secretary.

[Statutory Authority: RCW 29.81.320. WSR 02-02-067, § 434-381-150, filed 12/28/01, effective 1/28/02.]

WAC 434-381-160 Listing committee names and contact information. Committee names and contact information shall be submitted to the secretary of state.

(1) Names for publication in the voters pamphlet shall be listed in the order submitted by the committee;

(2) Each committee member may use up to eight words as a title or identification. No words that are obscene or otherwise prohibited for distribution through the mail may be used;

(3) The secretary will make every effort to maintain consistency in form and style for publications;

(4) State legislators will be identified in the following manner: State representative or state senator, with each title constituting two words;

(5) State elected officials will be identified as follows: Governor, lieutenant governor, secretary of state, treasurer, auditor, attorney general, superintendent of public instruction, commissioner of public lands and insurance commissioner, with each title counting as many words as in that title;

(6) Additional titles or descriptions may be added to reach the maximum title length; and

(7) Each committee may submit contact information for inclusion in the voters pamphlet consisting of: A telephone number, an email, and an internet address which will not count toward the maximum word allowance.

[Statutory Authority: RCW 29A.04.611. WSR 08-05-120, § 434-381-160, filed 2/19/08, effective 3/21/08. Statutory Authority: RCW 29.81.320. WSR 02-02-067, § 434-381-160, filed 12/28/01, effective 1/28/02.]

WAC 434-381-170 Statement and argument format. (1) Statements or arguments submitted for inclusion in the voters' pamphlet shall not exceed the word limit set by statute.

(a) Arguments for or against measures may contain up to four headings used to highlight major points in the argument and will count toward the maximum word count set for arguments. Rebuttals may not contain headings;

(b) The four headings may not exceed 15 words for each heading.

(2) Statements and arguments submitted to the office of the secretary of state shall be printed in a format that in the opinion of the secretary will provide the best reproduction.

(a) Statements and arguments will be laid out in a standard font without the use of boldface, underlining, or all capitalized letters;

(b) Italics may be used to add emphasis to statements or arguments;

(c) Argument headings will be laid out in boldface letters; and

(d) Statements are limited to one paragraph per 50 words. Arguments are limited to four paragraphs. Rebuttals are limited to one paragraph.

[Statutory Authority: RCW 29A.04.611. WSR 26-08-043, s 434-381-170, filed 3/25/26, effective 4/25/26. Statutory Authority: RCW 29A.04.611, 29A.04.255. WSR 11-05-008, § 434-381-170, filed 2/3/11, effective 3/6/11. Statutory Authority: RCW 29A.04.611. WSR 10-03-072, § 434-381-170, filed 1/18/10, effective 2/18/10. Statutory Authority: RCW 29.81.320. WSR 02-02-067, § 434-381-170, filed 12/28/01, effective 1/28/02.]

WAC 434-381-180 Editing statements and arguments. The secretary of state is not responsible for the content of arguments or statements and shall not edit the content of statements or arguments:

(1) The secretary may correct obvious errors in grammar, spelling or punctuation;

(2) The secretary shall promptly attempt to notify any candidate or committee, by any means the secretary deems reasonable under the circumstances, if a statement or argument exceeds the maximum number of words. If the candidate or committee does not provide the secretary with a revised statement or argument that meets the word limit within one business day after being notified by the secretary, then the secretary shall modify the statement to fit the limit by removing full sentences, starting at the end, until the maximum word limit is reached;

(3) The secretary shall notify any committee that submits a title or identification for their members that does not conform to WAC 434-381-160(2). If the committee does not provide the secretary with a revised title or identification that meets the requirements established in WAC 434-381-160(2) within one business day after being notified by the secretary, the secretary shall publish the name without any title or identification;

(4) Prior to publishing the pamphlet the secretary shall make a reasonable effort to provide a proof copy to the candidate or committee as it will appear showing any changes to the statement or argument; and

(5) Candidates or committees may only correct obvious errors or inaccuracies made by the secretary that they discover in their own proof copy. Changes in content are not allowed. Changes must be received by the secretary within three business days after proofs are sent by the secretary.

[Statutory Authority: RCW 29A.04.611. WSR 21-21-001, § 434-381-180, filed 10/6/21, effective 11/6/21. Statutory Authority: RCW 29A.04.611, 29A.04.255. WSR 11-05-008, § 434-381-180, filed 2/3/11, effective 3/6/11. Statutory Authority: RCW 29.81.320. WSR 02-02-067, § 434-381-180, filed 12/28/01, effective 1/28/02.]

WAC 434-381-190 Prevention of art work, photographs or other material by candidate. (1) The secretary shall be prohibited from using the art work, photography, or other materials provided by candidates for public office in the voters' pamphlet in which the candidate's name appears, except that required by law or rule for the candidate's

statements or, information provided by the office that publishes the pamphlet;

(2) Prior to final printing of the voters' pamphlet, the secretary will review complete "camera ready" copies of each edition of the voters' pamphlet;

(3) Language shall be placed into contracts, with the office of the secretary of state to produce the voters' pamphlet, to certify that those providing content materials for the voters' pamphlet are not candidates for public office and those individuals will not run for public office while their materials are being used in a state or local pamphlet produced in conjunction with the state voters' pamphlet.

[Statutory Authority: RCW 29A.04.611, 29A.04.255. WSR 11-05-008, § 434-381-190, filed 2/3/11, effective 3/6/11. Statutory Authority: RCW 29.81.320. WSR 02-02-067, § 434-381-190, filed 12/28/01, effective 1/28/02.]

WAC 434-381-200 Political party preference information. If a state voters' pamphlet includes a race for partisan office, the pamphlet must include an explanation that each candidate for partisan office may state a political party that the candidate prefers, and that a candidate's preference does not imply that the candidate is nominated or endorsed by the party or that the party approves of or associates with that candidate. The pamphlet must also explain that a candidate can choose to not state a political party preference.

[Statutory Authority: RCW 29A.04.611. WSR 26-08-043, s 434-381-200, filed 3/25/26, effective 4/25/26; WSR 08-15-052, § 434-381-200, filed 7/11/08, effective 8/11/08.]