SB 5892 - H COMM AMD
By Committee on State Government & Tribal Relations

ADOPTED 02/28/2026

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 42.56.425 and 2023 c 404 s 4 are each amended to read as follows:

(1) The following information related to election security is exempt from disclosure under this chapter:

(a) The continuity of operations plan for election operations and any security audits, security risk assessments, or security test results, relating to physical security or cybersecurity of election operations or infrastructure. These records are exempt from disclosure in their entirety;

(b) Those portions of records, manuals, or documentation containing technical details and information regarding election infrastructure, which include the systems, software, and networks that support the election process, the public disclosure of which may increase risk to the integrity of election operations or infrastructure;

(c) Voter signatures on ballot return envelopes, ballot declarations, and signature correction forms, including the original documents, copies, and electronic images; and a voter's phone number and email address contained on ballot return envelopes, ballot declarations, or signature correction forms. The secretary of state, by rule, may authorize in-person inspection of unredacted ballot return envelopes, ballot declarations, and signature correction forms in accordance with RCW 29A.04.260;

(d) Records regarding the infrastructure of a private entity submitted to elections officials are exempt from disclosure for a period of 25 years after the creation of the record when accompanied by an express statement that the record contains information about the private entity's infrastructure and public disclosure may increase risk to the integrity of election operations or infrastructure; and

(e) Voted ballots, voted ballot images, copies of voted ballots, photographs of voted ballots, facsimile images of voted ballots, or cast vote records of voted ballots, starting at the time of ballot return from the voter, during storage per RCW 29A.60.110, and through destruction following any retention period or litigation.

(2) The exemptions specified in subsection (1) of this section do not include information or records pertaining to security breaches, except as prohibited from disclosure under RCW 29A.12.200.

(3) The exemptions specified in subsection (1) of this section do not prohibit an audit authorized or required under Title 29A RCW from being conducted.

(4) Requests for records from or any existing reports generated by the statewide voter registration database established under RCW 29A.08.105 must be submitted to and fulfilled by the secretary of state. If a county elections office receives a request for records from or any existing reports generated by the statewide voter registration database established under RCW 29A.08.105, the county elections office ((~~is~~)) shall not ((~~required to~~)) produce any records in response to the request, but shall, by the deadline set forth in RCW 42.56.520, direct the requestor to submit their request to the secretary of state. A knowing violation of this subsection is a violation of RCW 29A.84.150.

Sec. 2. RCW 29A.84.150 and 2004 c 267 s 138 are each amended to read as follows:

(1) Any state or local election officer, or a designee, who has access to any county or statewide voter registration database who knowingly uses, discloses, or alters information in the database inconsistent with the performance of his or her duties is guilty of a class C felony, punishable under RCW 9A.20.021.

(2) The Washington driver's license number, Washington identification card number, social security number, and full birthdate, shown on an affidavit of voter registration or included in a voter registration file are confidential and shall not be disclosed to any person except to state or local election officers and election officials unless authorized by the office of the secretary of state. Any state or local election officer, or designee, who knowingly violates this subsection is guilty of a class C felony punishable under RCW 9A.20.021.

NEW SECTION. **Sec. 3.** This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

Correct the title.

EFFECT: Corrects a typographical error by clarifying that a state or local election officer, rather than a state officer or election officer, who knowingly violates provisions of the bill is guilty of a class C felony.

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