Washington State
House of Representatives
Office of Program Research

BILL ANALYSIS

State Government & Tribal Relations Committee

SB 5892

Brief Description: Concerning protection of the voter registration database.

Sponsors: Senators Riccelli, Valdez, Bateman, Frame, Hasegawa, Liias, Nobles, Pedersen, Slatter and Wilson, C.; by request of Secretary of State.

Brief Summary of Bill

- Prohibits a county elections office from producing records in response to a request for reports generated by the statewide voter registration database.
- Prohibits the unauthorized disclosure by a state or local election officer, or their designee, of certain personal information shown on an affidavit of voter registration or included in a voter registration file.
- Makes it a class C felony to violate the aforementioned prohibitions.

Hearing Date: 2/18/26

Staff: Desiree Omli (786-7105).

Background:

The Public Records Act.
The Public Records Act (PRA) generally requires state and local governmental entities to make many government records available to the public upon request. There are, however, over 500 statutory exemptions for certain records or information contained in records.

Upon receiving a request for records, the governmental entity must respond within five business

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days by providing the records or access to the records online; acknowledging receipt of the request and providing a reasonable estimate of the time needed to respond to the request; seeking clarification if the request is unclear; or denying the request on the basis that the records are exempt from disclosure requirements.

One PRA exemption to disclosure is for election security information, including exemptions for:

- continuity of operations plans for election operations;
- security audits, risk assessments, and test results of physical security or cybersecurity of election operations or infrastructure;
- information about election infrastructure, security, or potential threats to election security, if disclosure would increase risk to the integrity of election operations or infrastructure;
- records regarding the infrastructure of a private entity submitted to elections officials, which are exempt for 25 years after creation when they are 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
- voted ballots or images, copies, photographs, or cast vote records of voted ballots.

Disclosure of Voter Registration Files.
The county auditor maintains custody of the original voter registration records and voter registration sign-up records for each county. Using the centralized election management system, each county auditor enters and maintains voter registration records for voters residing in their county in the official statewide voter registration database. The Office of the Secretary of State (OSOS) maintains a statewide voter registration database that serves as a centralized, uniform, and interactive computerized statewide voter registration list that contains the name and registration information of every registered voter in the state.

Except as it pertains to a participant in the Address Confidentiality Program or the Future Voter Program, only the following information contained in voter registration records or files regarding a voter or a group of voters is available for public inspection and copying: the voter's name, address, political jurisdiction, gender, year of birth, voting record, date of registration, and registration number. No other information from voter registration records or files is available for public inspection or copying. All PRA requests for records from any existing reports generated by the statewide voter registration database must be submitted and fulfilled by the OSOS. County elections officials that receive a PRA request for such information are not required to produce any record, but must respond within the deadline of five business days by directing the requestor to submit their request to the OSOS.

Summary of Bill:

The process for a county that receives a request for records from or any existing reports generated by the statewide voter registration database is modified to clarify that upon receiving such request, the county elections office is prohibited from producing any records in response to the request. Further, the county elections office must direct the requestor to submit their request

to the OSOS. A knowing violation of this prohibition is a class C felony.

Any state or local election officer, or a designee, who has access to any county or statewide voter registration database who knowingly discloses information in the database inconsistent with the performance of their duties is guilty of a class C felony.

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 must not be disclosed to any person except to state or local election officers and election officials, unless authorized by the OSOS. Any state officer or election officer, or designee, who knowingly violates this prohibition is guilty of a class C felony.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill contains an emergency clause and takes effect immediately.