

WSR 25-23-050

PROPOSED RULES

SECRETARY OF STATE

[Filed November 13, 2025, 10:16 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 25-06-064.

Title of Rule and Other Identifying Information: Alternative verification options pilot project.

Hearing Location(s): On January 8, 2026, at 10:00 a.m., at the Washington Secretary of State, Washington State Library, 6880 Capitol Boulevard S.E., Tumwater, WA 98501. When attending the hearing in person, enter the front lobby of the Washington State Library. You will be escorted to the conference room at 9:55 a.m. to be present when the hearing begins at 10:00 a.m. If you arrive after that time, there will be a staff member available in the lobby to escort you to the conference room.

Date of Intended Adoption: January 9, 2026.

Submit Written Comments to: Dave Piersma, P.O. Box 40229, Olympia, WA 98504, email dave.piersma@sos.wa.gov, fax 360-664-4619, beginning November 17, 2025, 8:00 a.m., by January 7, 2026, 5:00 p.m.

Assistance for Persons with Disabilities: Contact Dave Piersma, phone 360-902-4172, fax 360-664-4619, email dave.piersma@sos.wa.gov, by January 7, 2026, 5:00 p.m.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: This rule making will establish additional rules for standardized pilot projects conducted under RCW 29A.40.111.

Reasons Supporting Proposal: SSB 6269 (2024) established the alternative verification options pilot project, allowing county auditors to test methods other than signature verification to verify that the person who returned a ballot was the intended voter. RCW 29A.40.111 establishes that the secretary of state has rule-making authority related to the approval process, standards, and procedures of the pilot project.

Statutory Authority for Adoption: RCW 29A.04.611 and 29A.40.111.

Statute Being Implemented: RCW 29A.40.111.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: Office of the secretary of state, governmental.

Name of Agency Personnel Responsible for Drafting, Implementation, and Enforcement: Stuart Holmes, Olympia, 360-902-4151.

A school district fiscal impact statement is not required under RCW 28A.305.135.

A cost-benefit analysis is not required under RCW 34.05.328.

This rule proposal, or portions of the proposal, is exempt from requirements of the Regulatory Fairness Act because the proposal:

Is exempt under RCW 19.85.025(3) as the rules relate only to internal governmental operations that are not subject to violation by a nongovernment party.

Scope of exemption for rule proposal:

Is fully exempt.

November 14, 2025

Amanda Doyle
Chief of Staff

RDS-6810.1

NEW SECTION

WAC 434-261-046 Alternative identity verification. The county auditor may conduct initial identity verification by using an alternative verification method approved by the office of the secretary of state in accordance with RCW 29A.40.111.

If the voter's identity is not accepted by the alternative verification method, the county auditor must verify the signature on the ballot return envelope using the standards set forth in WAC 434-261-051 through 434-261-053.

NEW SECTION

WAC 434-261-047 Alternative identity verification application deadline. This section addresses the process for submitting an alternative identity verification proposal pursuant to RCW 29A.40.111. An alternative identity verification option may be used only for a special election held on the second Tuesday in February or the fourth Tuesday in April, as provided in RCW 29A.04.321 and 29A.04.330.

(1) The deadline for a county auditor to submit an alternative identity verification proposal is no later than 104 days before the special election at which the alternative identity verification option would be used.

(2) The office of the secretary of state will provide a response to the county auditor no later than 90 days before the election at which the alternative identity verification option would be used.

(3) For a multicounty special election, the county auditor for each county involved must agree to participate. The proposal must be submitted to the office of the secretary of state by the county auditor for the county with the largest number of voters eligible to participate in the election.

NEW SECTION

WAC 434-261-048 Alternative identity verification application contents. In addition to the application requirements in RCW 29A.40.111, the county auditor must include how information about the alternative identity verification method will be targeted to groups with higher rates of ballot rejection and any other groups included in the county's community outreach plan established in accordance with RCW 29A.60.168.

NEW SECTION

WAC 434-261-049 Alternative identity verification method approval guidelines. Following the approval of an alternative identity verification method, the office of the secretary of state must issue written guidance that specifies the approved use of the method and

conditions of its use. Alternative identity verification methods are only approved for use in the election specified in the proposal.