

WSR 26-05-067

PROPOSED RULES

SECRETARY OF STATE

[Filed February 17, 2026, 11:20 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 25-06-034.

Title of Rule and Other Identifying Information: State voters' pamphlet.

Hearing Location(s): On March 24, 2026, at 1:00 p.m., at 243 Israel Road S.E., Conference Room 111, Tumwater, WA 98501. When attending the hearing in person, enter the front lobby of Town Center East 3. You will be escorted to the conference room at 12:55 p.m. to be present when the hearing begins at 1:00 p.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: March 25, 2026.

Submit Written Comments to: Dave Piersma, P.O. Box 40229, Olympia, WA 98504-0229, email dave.piersma@sos.wa.gov, fax 360-664-4619, beginning February 19, 2026, 8:00 a.m., by March 23, 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 March 23, 2026, 5:00 p.m.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: E2SHB 1272 (2024) amended requirements for voters' pamphlet contents. The purpose of this rule making is to amend administrative code to comply with the statutory changes, e.g., removing allowances for photographs or charts to be used in candidate statements or measure arguments.

Statutory Authority for Adoption: RCW 29A.04.611.

Statute Being Implemented: RCW 29A.32.031 and 29A.32.060.

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. These proposed sections relate only to internal governmental operations that are not subject to violation by a nongovernment party.

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.

February 17, 2026
Amanda Doyle
Chief of Staff

RDS-5629.3

AMENDATORY SECTION (Amending WSR 11-05-008, filed 2/3/11, effective 3/6/11)

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. ~~((Photos))~~ Photographs must be limited to the head and shoulders, with a light-colored background, but not a white background. Color ~~((photos))~~ photographs are preferred, though black and white ~~((photos))~~ photographs are acceptable.

Candidate photographs may be submitted electronically to the office of the secretary of state for inclusion in the voters' pamphlet. ~~((The photo))~~ 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. ((Photos submitted digitally must be a resolution no less than 300 dpi and not digitally altered. Lab processed no gloss prints meeting the size and quality specifications may also be submitted.))

The ~~((secretary))~~ office of the secretary of state may adjust or crop ~~((photos))~~ photographs as necessary to fit the publication format. ~~((Photos))~~ Photographs not meeting the specifications may be rejected ~~((in accordance with WAC 434-381-150))~~.

AMENDATORY SECTION (Amending WSR 11-05-008, filed 2/3/11, effective 3/6/11)

WAC 434-381-170 Statement and argument format. (1) Statements or arguments submitted for inclusion in the ~~((voters))~~ voters' pamphlet shall not exceed the word limit set by statute ~~((established in RCW 29A.32.121))~~.

(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 ~~((fifteen))~~ 15 words for each heading ~~((7~~

~~((c) Photographs or charts may be used in statements or arguments substituting fifty words from the statement or argument for each square inch used by the photograph or chart. This subsection does not apply to the photographs submitted pursuant to WAC 434-381-130 (size and quality of photographs))~~.

(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 ~~((caps))~~ 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 ~~((fifty))~~ 50 words. Arguments are limited to four paragraphs. Rebuttals are limited to one paragraph.

AMENDATORY SECTION (Amending WSR 08-15-052, filed 7/11/08, effective 8/11/08)

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 (~~he or she~~) 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.