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HOUSE BILL 1720

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State of Washington

63rd Legislature

2013 Regular Session

By Representatives Moeller, Ryu, Jenkins, Fitzgibbon, Roberts, Pollet, Fey, Moscoso, and Ormsby

Read first time 02/06/13. Referred to Committee on Government Operations & Elections.

1 AN ACT Relating to increasing transparency of donors to candidates  
2 and ballot measures; amending RCW 29A.32.031, 29A.32.070, 29A.36.106,  
3 and 29A.36.161; and creating a new section.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** (1) The legislature finds that the voters of  
6 the state of Washington have overwhelmingly affirmed the public's right  
7 to know about the financing of political activity. Recognizing that  
8 Initiative 276, which created the public disclosure commission and  
9 serves as the foundation of Washington's disclosure and campaign  
10 finance laws, was approved with over seventy-two percent of voters in  
11 support, the legislature also finds that maintaining the tradition of  
12 transparency in campaigns and political activities in the state of  
13 Washington is a top priority for citizens throughout Washington state.

14 (2) Therefore, it is the intent of the legislature to increase  
15 transparency and ensure that voters be provided easy access to accurate  
16 information about the sources of money supporting or opposing  
17 candidates and ballot measures by printing the public disclosure  
18 commission's web site on voters' pamphlets and ballots for each primary  
19 and general election.

1       **Sec. 2.** RCW 29A.32.031 and 2011 c 60 s 13 are each amended to read  
2 as follows:

3       The voters' pamphlet published or distributed under RCW 29A.32.010  
4 must contain:

5       (1) Information about each measure for an advisory vote of the  
6 people and each ballot measure initiated by or referred to the voters  
7 for their approval or rejection as required by RCW 29A.32.070;

8       (2) In even-numbered years, statements, if submitted, from  
9 candidates for the office of president and vice president of the United  
10 States, United States senator, United States representative, governor,  
11 lieutenant governor, secretary of state, state treasurer, state  
12 auditor, attorney general, commissioner of public lands, superintendent  
13 of public instruction, insurance commissioner, state senator, state  
14 representative, justice of the supreme court, judge of the court of  
15 appeals, or judge of the superior court. Candidates may also submit  
16 campaign contact information and a photograph not more than five years  
17 old in a format that the secretary of state determines to be suitable  
18 for reproduction in the voters' pamphlet;

19       (3) In odd-numbered years, if any office voted upon statewide  
20 appears on the ballot due to a vacancy, then statements and photographs  
21 for candidates for any vacant office listed in subsection (2) of this  
22 section must appear;

23       (4) Contact information for the public disclosure commission  
24 established under RCW 42.17A.100, including the following statement:  
25 "For a list of the people and organizations that donated to state and  
26 local candidates and ballot measure campaigns, visit [www.pdc.wa.gov](http://www.pdc.wa.gov).";

27       (5) Contact information for major political parties;

28       (6) A brief statement explaining the deletion and addition of  
29 language for proposed measures under RCW 29A.32.080; and

30       (7) Any additional information pertaining to elections as may be  
31 required by law or in the judgment of the secretary of state is deemed  
32 informative to the voters.

33       **Sec. 3.** RCW 29A.32.070 and 2009 c 415 s 5 are each amended to read  
34 as follows:

35       The secretary of state shall determine the format and layout of the  
36 voters' pamphlet published under RCW 29A.32.010. The secretary of  
37 state shall print the pamphlet in clear, readable type on a size,

1 quality, and weight of paper that in the judgment of the secretary of  
2 state best serves the voters. The pamphlet must contain a table of  
3 contents. Measures and arguments must be printed in the order  
4 specified by RCW 29A.72.290.

5 The voters' pamphlet must provide the following information for  
6 each statewide issue on the ballot except measures for an advisory vote  
7 of the people whose requirements are provided in subsection ~~((+11+))~~  
8 (12) of this section:

9 (1) The legal identification of the measure by serial designation  
10 or number;

11 (2) The official ballot title of the measure;

12 (3) A statement prepared by the attorney general explaining the law  
13 as it presently exists;

14 (4) A statement prepared by the attorney general explaining the  
15 effect of the proposed measure if it becomes law;

16 (5) The fiscal impact statement prepared under RCW 29A.72.025;

17 (6) The total number of votes cast for and against the measure in  
18 the senate and house of representatives, if the measure has been passed  
19 by the legislature;

20 (7) An argument advocating the voters' approval of the measure  
21 together with any statement in rebuttal of the opposing argument;

22 (8) An argument advocating the voters' rejection of the measure  
23 together with any statement in rebuttal of the opposing argument;

24 (9) Each argument or rebuttal statement must be followed by the  
25 names of the committee members who submitted them, and may be followed  
26 by a telephone number that citizens may call to obtain information on  
27 the ballot measure;

28 (10) The following statement: "For a list of the people and  
29 organizations that donated to state and local candidates and ballot  
30 measure campaigns, visit [www.pdc.wa.gov](http://www.pdc.wa.gov)."

31 (11) The full text of the measure;

32 ~~((+11+))~~ (12) Two pages shall be provided in the general election  
33 voters' pamphlet for each measure for an advisory vote of the people  
34 under RCW 43.135.041 and shall consist of the serial number assigned by  
35 the secretary of state under RCW 29A.72.040, the short description  
36 formulated by the attorney general under RCW 29A.72.283, the tax  
37 increase's most up-to-date ten-year cost projection, including a  
38 year-by-year breakdown, by the office of financial management under RCW

1 43.135.031, and the names of the legislators, and their contact  
2 information, and how they voted on the increase upon final passage so  
3 they can provide information to, and answer questions from, the public.  
4 For the purposes of this subsection, "names of legislators, and their  
5 contact information" includes each legislator's position (senator or  
6 representative), first name, last name, party affiliation (for example,  
7 Democrat or Republican), city or town they live in, office phone  
8 number, and office e-mail address.

9 **Sec. 4.** RCW 29A.36.106 and 2007 c 38 s 3 are each amended to read  
10 as follows:

11 (1) If the consolidated ballot format is used, the major political  
12 party identification check-off box must appear on the primary ballot  
13 before all offices and ballot measures. Clear and concise instructions  
14 to the voter must be prominently displayed immediately before the list  
15 of major political parties, and must include:

16 (a) A statement that, for partisan offices, the voter may only vote  
17 for candidates of one political party;

18 (b) A question asking the voter to indicate the major political  
19 party with which the voter chooses to affiliate;

20 (c) A statement that, for a major political party candidate, only  
21 votes cast by voters who choose to affiliate with that same major  
22 political party will be tabulated and reported;

23 (d) A statement that votes cast for a major political party  
24 candidate by a voter who chooses to affiliate with a different major  
25 political party will not be tabulated or reported;

26 (e) A statement that votes cast for a major political party  
27 candidate by a voter who selects more than one major political party  
28 with which to affiliate will not be tabulated or reported; (~~and~~)

29 (f) A statement that party affiliation will not affect votes cast  
30 for candidates for nonpartisan offices, or for or against ballot  
31 measures; and

32 (g) The statement: "For a list of the people and organizations  
33 that donated to state and local candidates and ballot measure  
34 campaigns, visit [www.pdc.wa.gov](http://www.pdc.wa.gov)."

35 (2) If the physically separate ballot format is used, clear and  
36 concise instructions to the voter must be prominently displayed, and  
37 must include:

1 (a) A statement that, for partisan offices, the voter may only vote  
2 for candidates of one political party;

3 (b) A statement explaining that only one ballot may be voted;

4 (c) A statement explaining that if more than one party ballot is  
5 voted, none of the partisan races will be tabulated or reported;  
6 (~~and~~)

7 (d) A statement explaining that the nonpartisan ballot only lists  
8 nonpartisan races and ballot measures and does not list partisan races;  
9 and

10 (e) The statement: "For a list of the people and organizations  
11 that donated to state and local candidates and ballot measure  
12 campaigns, visit [www.pdc.wa.gov](http://www.pdc.wa.gov)."

13 **Sec. 5.** RCW 29A.36.161 and 2011 c 10 s 33 are each amended to read  
14 as follows:

15 (1) On the top of each ballot must be printed:

16 (a) Clear and concise instructions directing the voter how to mark  
17 the ballot, including write-in votes; and

18 (b) The following statement: "For a list of the people and  
19 organizations that donated to state and local candidates and ballot  
20 measure campaigns, visit [www.pdc.wa.gov](http://www.pdc.wa.gov)."

21 (2) On the top of each primary ballot must be printed the  
22 instructions required by this chapter.

23 ~~((+2))~~ (3) The ballot must have a clear delineation between the  
24 ballot instructions and the first ballot measure or office through the  
25 use of white space, illustration, shading, color, symbol, font size, or  
26 bold type. The secretary of state shall establish standards for ballot  
27 design and layout consistent with this section and RCW 29A.04.611.

28 ~~((+3))~~ (4) The questions of adopting constitutional amendments or  
29 any other state measure authorized by law to be submitted to the voters  
30 at that election must appear after the instructions and before any  
31 offices.

32 ~~((+4))~~ (5) In a year that president and vice president appear on  
33 the general election ballot, the names of candidates for president and  
34 vice president for each political party must be grouped together with  
35 a single response position for a voter to indicate his or her choice.

36 ~~((+5))~~ (6) On a general election ballot, the candidate or  
37 candidates of the major political party that received the highest

1 number of votes from the electors of this state for the office of  
2 president of the United States at the last presidential election must  
3 appear first following the appropriate office heading. The candidate  
4 or candidates of the other major political parties will follow  
5 according to the votes cast for their nominees for president at the  
6 last presidential election, and independent candidates and the  
7 candidate or candidates of all other parties will follow in the order  
8 of their qualification with the secretary of state.

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