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ENGROSSED HOUSE BILL 1453

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State of Washington

67th Legislature

2021 Regular Session

By Representatives Bergquist, Volz, Valdez, Lekanoff, Shewmake, Sutherland, and Riccelli

Read first time 02/02/21. Referred to Committee on State Government & Tribal Relations.

1 AN ACT Relating to voters' pamphlets; amending RCW 29A.32.010,  
2 29A.32.020, 29A.32.031, 29A.32.060, 29A.32.070, 29A.32.090,  
3 29A.32.110, 29A.32.121, 29A.32.210, 29A.32.220, 29A.32.230,  
4 29A.32.241, 29A.32.250, 29A.32.260, 29A.32.280, and 29A.72.025; and  
5 providing an effective date.

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

7 **Sec. 1.** RCW 29A.32.010 and 2003 c 111 s 801 are each amended to  
8 read as follows:

9 The secretary of state shall, whenever at least one statewide  
10 measure or office is scheduled to appear on the general election  
11 ballot, print and distribute a voters' pamphlet.

12 The secretary of state shall distribute the voters' pamphlet to  
13 each household in the state, to public libraries, and to any other  
14 locations he or she deems appropriate. The secretary of state shall  
15 also produce (~~taped~~) recorded or Braille transcripts of the voters'  
16 pamphlet, publicize their availability, and mail without charge a  
17 copy to any person who requests one.

18 The secretary of state may make the material required to be  
19 distributed by this chapter available to the public in electronic  
20 form. The secretary of state may provide the material in electronic  
21 form to (~~computer bulletin boards~~) web based, print, and broadcast

1 news media, (~~community computer networks,~~) and similar services at  
2 the cost of reproduction or transmission of the data.

3 **Sec. 2.** RCW 29A.32.020 and 2003 c 111 s 802 are each amended to  
4 read as follows:

5 No person or entity may publish or distribute any campaign  
6 material that is deceptively similar in design or appearance to a  
7 voters' pamphlet that was published by the secretary of state during  
8 the ten-year period before the publication or distribution of the  
9 campaign material by the person or entity. The secretary of state  
10 shall take reasonable measures to prevent or to stop violations of  
11 this section. Such measures may include, among others, petitioning  
12 the superior court for a temporary restraining order or other  
13 appropriate injunctive relief. In addition, the secretary may request  
14 the superior court to impose a civil fine on a violator of this  
15 section. The court is authorized to levy on and recover from each  
16 violator a civil fine not to exceed the greater of: (1) (~~Two~~) Five  
17 dollars for each copy of the deceptive material distributed, or (2)  
18 (~~one thousand dollars~~) \$10,000. In addition, the violator is liable  
19 for the state's legal expenses and other costs resulting from the  
20 violation. Any funds recovered under this section must be transmitted  
21 to the state treasurer for deposit in the general fund.

22 **Sec. 3.** RCW 29A.32.031 and 2020 c 208 s 11 are each amended to  
23 read as follows:

24 The voters' pamphlet published or distributed under RCW  
25 29A.32.010 must contain:

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

29 (2) In even-numbered years, statements, if submitted, from  
30 candidates for the office of president and vice president of the  
31 United States, United States senator, United States representative,  
32 governor, lieutenant governor, secretary of state, state treasurer,  
33 state auditor, attorney general, commissioner of public lands,  
34 superintendent of public instruction, insurance commissioner, state  
35 senator, state representative, justice of the supreme court, judge of  
36 the court of appeals, or judge of the superior court. Candidates may  
37 also submit campaign contact information and a photograph not more

1 than five years old in a format that the secretary of state  
2 determines to be suitable for reproduction in the voters' pamphlet;

3 (3) In odd-numbered years, (~~if~~) for any office voted upon  
4 statewide or any multicounty congressional or multicounty legislative  
5 district that appears on the ballot due to a vacancy, (~~then~~)  
6 statements and photographs for candidates for any vacant office  
7 listed in subsection (2) of this section must appear;

8 (4) Contact information for the public disclosure commission  
9 established under RCW 42.17A.100, including the following statement:  
10 "For a list of the people and organizations that donated to state and  
11 local candidates and ballot measure campaigns, visit [www.pdc.wa.gov](http://www.pdc.wa.gov)."  
12 The statement must be placed in a prominent position, such as on the  
13 cover or on the first two pages of the voters' pamphlet. The  
14 secretary of state may substitute such language as is necessary for  
15 accuracy and clarity and consistent with the intent of this section;

16 (5) Contact information for major political parties;

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

19 (7) A list of all student engagement hubs as designated under RCW  
20 29A.40.180; and

21 (8) Any additional information pertaining to elections as may be  
22 required by law or in the judgment of the secretary of state is  
23 deemed informative to the voters.

24 **Sec. 4.** RCW 29A.32.060 and 2015 c 171 s 2 are each amended to  
25 read as follows:

26 Committees shall write and submit arguments advocating the  
27 approval or rejection of each statewide ballot issue and rebuttals of  
28 those arguments. The secretary of state, the presiding officer of the  
29 senate, and the presiding officer of the house of representatives  
30 shall appoint the initial two members of each committee. In making  
31 these committee appointments the secretary of state and presiding  
32 officers of the senate and house of representatives shall consider  
33 legislators, sponsors of initiatives and referendums, and other  
34 interested groups known to advocate or oppose the ballot measure.  
35 Committees must have the explanatory and fiscal impact statements  
36 available before preparing their arguments.

37 The initial two members may select up to four additional members,  
38 and the committee shall elect a chairperson. The remaining committee  
39 member or members may fill vacancies through appointment.

1 After the committee submits its initial argument statements to  
2 the secretary of state, the secretary of state shall transmit the  
3 statements to the opposite committee. The opposite committee may then  
4 prepare rebuttal arguments. Rebuttals may not interject new points.

5 The voters' pamphlet may contain text only argument statements  
6 prepared according to this section. (~~Arguments may contain graphs  
7 and charts supported by factual statistical data and pictures or  
8 other illustrations. Cartoons~~) Graphs, charts, photographs,  
9 cartoons, or caricatures are not permitted.

10 **Sec. 5.** RCW 29A.32.070 and 2016 c 83 s 1 are each amended to  
11 read as follows:

12 The secretary of state shall determine the format and layout of  
13 the voters' pamphlet published under RCW 29A.32.010. The secretary of  
14 state shall print the pamphlet in clear, readable type on a size,  
15 quality, and weight of paper that in the judgment of the secretary of  
16 state best serves the voters. The pamphlet must contain a table of  
17 contents. Measures and arguments must be printed in the order  
18 specified by RCW 29A.72.290.

19 The secretary of state's name may not appear in the voters'  
20 pamphlet in his or her official capacity if the secretary is a  
21 candidate for office during the same year. His or her name may only  
22 be included as part of the information normally included for  
23 candidates.

24 The voters' pamphlet must provide the following information for  
25 each statewide issue on the ballot except measures for an advisory  
26 vote of the people whose requirements are provided in subsection (11)  
27 of this section:

28 (1) The legal identification of the measure by serial designation  
29 or number;

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

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

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

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

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

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

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

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

9 (10) The full text of the measure;

10 (11) (~~Two pages~~) Adequate space shall be provided in the  
11 general election voters' pamphlet for each measure for an advisory  
12 vote of the people under RCW 43.135.041 and shall consist of the  
13 serial number assigned by the secretary of state under RCW  
14 29A.72.040, the short description formulated by the attorney general  
15 under RCW 29A.72.283, the tax increase's most up-to-date ten-year  
16 cost projection, including a year-by-year breakdown, by the office of  
17 financial management under RCW 43.135.031, and the names of the  
18 legislators, and their contact information, and how they voted on the  
19 increase upon final passage so they can provide information to, and  
20 answer questions from, the public. For the purposes of this  
21 subsection, "names of legislators, and their contact information"  
22 includes each legislator's position (senator or representative),  
23 first name, last name, party (~~affiliation (for example, Democrat or~~  
24 ~~Republican), city or town they live in~~) preference, office phone  
25 number, and office email address.

26 **Sec. 6.** RCW 29A.32.090 and 2009 c 222 s 3 are each amended to  
27 read as follows:

28 (1) (~~if~~) All statements, arguments, and photographs submitted  
29 are subject to review and approval, and must conform to the criteria  
30 in this section. A statement or photograph may be rejected, if in the  
31 opinion of the secretary of state any argument or statement offered  
32 for inclusion in the voters' pamphlet in support of or opposition to  
33 a measure or candidate does not comply with the standards contained  
34 in this section or administrative rules or contains obscene matter or  
35 matter that is otherwise prohibited by law from distribution through  
36 the mail(~~r~~). A person or committee that has submitted a statement  
37 or photo rejected by the secretary may edit their statement or  
38 petition the superior court of Thurston county for a judicial  
39 determination that the photograph, argument, or statement (~~may be~~

1 ~~rejected~~) complies with the standards and is acceptable for  
2 publication or edited to delete the matter. The court shall not enter  
3 such an order unless it concludes that the matter is compliant, not  
4 obscene, or not otherwise prohibited for distribution through the  
5 mail.

6 (2) Any statements by a candidate are limited to:

7 (a) Plans and goals for the future of the jurisdiction; and

8 (b) Direction on where to find more information about the  
9 candidate.

10 (3) Candidate statements may not:

11 (a) Ask for contributions;

12 (b) Make commercial solicitations; or

13 (c) Make obscene or otherwise inappropriate comments.

14 (4) Statements and arguments submitted in support of or  
15 opposition to a measure may not:

16 (a) Ask for contributions;

17 (b) Make commercial solicitations; or

18 (c) Make obscene or otherwise inappropriate comments.

19 (5) A candidate's statement submitted for inclusion in the  
20 voters' pamphlet shall not contain false or misleading statements  
21 about the candidate's opponent. A false or misleading statement shall  
22 be considered "libel or defamation per se" if the statement tends to  
23 expose the candidate to hatred, contempt, ridicule, or obloquy, or to  
24 deprive him or her of the benefit of public confidence or social  
25 intercourse, or to injure him or her in his or her business or  
26 occupation. If a candidate believes his or her opponent has libeled  
27 or defamed him or her, the candidate may commence an action under  
28 subsection ~~((3))~~ (6) of this section.

29 ~~((3))~~ (6)(a) A person who believes that he or she may be  
30 defamed by an argument or statement offered for inclusion in the  
31 voters' pamphlet in support of or opposition to a measure or  
32 candidate may petition the superior court of Thurston county for a  
33 judicial determination that the argument or statement may be rejected  
34 for publication or edited to delete the defamatory statement.

35 (b) The court shall not enter such an order unless it concludes  
36 that the statement is untrue and that the petitioner has a very  
37 substantial likelihood of prevailing in a defamation action.

38 (c) An action under this subsection ~~((3))~~ (6) must be filed and  
39 served no later than the tenth day after the deadline for the  
40 submission of the argument or statement to the secretary of state.

1 (d) If the secretary of state notifies a person named or  
2 identified in an argument or statement of the contents of the  
3 argument or statement within three days after the deadline for  
4 submission to the secretary, then neither the state nor the secretary  
5 is liable for damages resulting from publication of the argument or  
6 statement unless the secretary publishes the argument or statement in  
7 violation of an order entered under this section. Nothing in this  
8 section creates a duty on the part of the secretary of state to  
9 identify, locate, or notify the person.

10 ~~((4))~~ (7) Parties to a dispute under this section may agree to  
11 resolve the dispute by rephrasing the argument or statement, even if  
12 the deadline for submission to the secretary has elapsed, unless the  
13 secretary determines that the process of publication is too far  
14 advanced to permit the change. The secretary shall promptly provide  
15 any such revision to any committee entitled to submit a rebuttal  
16 argument. If that committee has not yet submitted its rebuttal, its  
17 deadline to submit a rebuttal is extended by five days. If it has  
18 submitted a rebuttal, it may revise it to address the change within  
19 five days of the filing of the revised argument with the secretary.

20 ~~((5))~~ (8) In an action under this section the committee or  
21 candidate must be named as a defendant, and may be served with  
22 process by certified mail directed to the address contained in the  
23 secretary's records for that party. The secretary of state shall be a  
24 nominal party to an action brought under subsection ~~((3))~~ (6) of  
25 this section, solely for the purpose of determining the content of  
26 the voters' pamphlet. The superior court shall give such an action  
27 priority on its calendar.

28 **Sec. 7.** RCW 29A.32.110 and 2003 c 111 s 811 are each amended to  
29 read as follows:

30 All photographs of candidates submitted for publication must  
31 conform to standards established by the secretary of state by rule.  
32 No photograph may reveal clothing or insignia suggesting the holding  
33 of a public office. No photograph may include hats, buttons, or  
34 clothing showing words, insignia, or symbols.

35 **Sec. 8.** RCW 29A.32.121 and 2004 c 271 s 168 are each amended to  
36 read as follows:

37 (1) The maximum number of words for statements submitted by  
38 candidates is as follows: State representative, one hundred words;

1 state senator, judge of the superior court, judge of the court of  
2 appeals, justice of the supreme court, and all state offices voted  
3 upon throughout the state, except that of governor, two hundred  
4 words; president and vice president, United States senator, United  
5 States representative, and governor, three hundred words.

6 (2) Arguments written by committees under RCW 29A.32.060 may not  
7 exceed two hundred fifty words in length.

8 (3) Rebuttal arguments written by committees may not exceed  
9 seventy-five words in length.

10 (4) The secretary of state or county auditor shall allocate space  
11 in the pamphlet based on the number of candidates or nominees for  
12 each office.

13 **Sec. 9.** RCW 29A.32.210 and 2020 c 337 s 6 are each amended to  
14 read as follows:

15 Before any primary or general election, or any special election  
16 held under RCW 29A.04.321 or 29A.04.330, each county auditor shall  
17 print and distribute a local voters' pamphlet. The pamphlet shall  
18 provide information on all measures and candidates within that  
19 (~~jurisdiction~~) county. The format of any local voters' pamphlet  
20 shall, whenever applicable, comply with the provisions of this  
21 chapter regarding the publication of the state candidates' and  
22 voters' pamphlets.

23 **Sec. 10.** RCW 29A.32.220 and 2003 c 111 s 814 are each amended to  
24 read as follows:

25 (1) Not later than ninety days before the publication and  
26 distribution of a local voters' pamphlet by a county, the county  
27 auditor shall notify each city, town, or special taxing district  
28 located (~~wholly~~) within that county that a pamphlet will be  
29 produced.

30 (2) (~~If a~~) All voters' (~~pamphlet is~~) pamphlets published by  
31 the county (~~for a primary or general election, the pamphlet shall be~~  
32 ~~published for~~) per RCW 29A.32.210 must include the elective offices  
33 and ballot measures of the county and (~~for~~) the elective offices  
34 and ballot measures of each unit of local government located  
35 (~~entirely~~) within the county which will appear on the ballot at  
36 that primary or election. (~~However, the offices and measures of a~~  
37 ~~first-class or code city shall not be included in the pamphlet if the~~  
38 ~~city publishes and distributes its own voters' pamphlet for the~~



1 ~~primary or election for its offices and measures. The offices and~~  
2 ~~measures of any other town or city are not required to appear in the~~  
3 ~~county's pamphlet if the town or city is obligated by ordinance or~~  
4 ~~charter to publish and distribute a voters' pamphlet for the primary~~  
5 ~~or election for its offices and measures and it does so.))~~

6 If the required appearance in a county's voters' pamphlet of the  
7 offices or measures of a unit of local government would create undue  
8 financial hardship for the unit of government, the legislative  
9 authority of the unit may petition the legislative authority of the  
10 county to waive this requirement. The legislative authority of the  
11 county may provide such a waiver if it does so not later than sixty  
12 days before the publication of the pamphlet and it finds that the  
13 requirement would create such hardship.

14 (3) If a city, town, or district is located within more than one  
15 county, ~~((the respective county auditors may enter into an interlocal~~  
16 ~~agreement to permit the distribution of each county's local voters'~~  
17 ~~pamphlet into those parts of the city, town, or district located~~  
18 ~~outside of that county))~~ all appropriate information for that  
19 jurisdiction must appear in the local voters' pamphlet for each of  
20 the counties containing the jurisdiction. Arguments, candidate  
21 statements, and photographs must be submitted to the county auditor  
22 of the county that accepted any resolutions or candidate filings for  
23 that jurisdiction. The auditor that receives this information shall  
24 provide it to the other county auditors after reviewing and accepting  
25 the submissions.

26 (4) ~~((If a first-class or code city authorizes the production and~~  
27 ~~distribution of a local voters' pamphlet, the city clerk of that city~~  
28 ~~shall notify any special taxing district located wholly within that~~  
29 ~~city that a pamphlet will be produced. Notification shall be provided~~  
30 ~~in the manner required or provided for in subsection (1) of this~~  
31 ~~section.~~

32 ~~(5))~~ A unit of local government located within a county and the  
33 county may enter into an interlocal agreement for the publication of  
34 a voters' pamphlet for offices or measures not required by subsection  
35 (2) of this section to appear in a county's pamphlet.

36 **Sec. 11.** RCW 29A.32.230 and 2003 c 111 s 815 are each amended to  
37 read as follows:

38 ~~((The))~~ (1) The secretary of state in consultation with county  
39 ~~((auditor or, if applicable, the city clerk of a first-class or code~~

1 eity)) auditors shall (~~(, in consultation with the participating~~  
2 ~~jurisdictions,~~) adopt (~~(and publish)~~) administrative rules necessary  
3 to facilitate (~~(the provisions of any ordinance authorizing)~~)  
4 production of a local voters' pamphlet. (~~(Any amendment to such a~~  
5 ~~rule shall also be adopted and published. Copies of the rules shall~~  
6 ~~identify the date they were adopted or last amended and shall be made~~  
7 ~~available to any person upon request. One copy of the rules adopted~~  
8 ~~by a county auditor and one copy of any amended rules shall be~~  
9 ~~submitted to the county legislative authority. One copy of the rules~~  
10 ~~adopted by a city clerk and one copy of any amended rules shall be~~  
11 ~~submitted to the city legislative authority.))~~ These rules shall  
12 include but not be limited to the following:

13 (~~(1) Deadlines for decisions by cities, towns, or special taxing~~  
14 ~~districts on being included in the pamphlet;~~

15 ~~(2))~~ (a) Limits on the length and deadlines for submission of  
16 arguments for and against each measure;

17 (~~(3))~~ (b) The basis for rejection of any explanatory or  
18 candidates' statement or argument deemed to be (~~(libelous or~~  
19 ~~otherwise inappropriate)) noncompliant with this section or  
20 administrative rules adopted in accordance with this section.  
21 Candidate statements must adhere to the following:~~

22 (i) Any statements by a candidate shall be limited to (~~(those)):~~

23 (A) Those about the candidate himself or herself;

24 (B) Plans and goals for the future of the jurisdiction;

25 (C) Directions on where to find more information about the  
26 candidate.

27 (ii) Candidate statements may not:

28 (A) Ask for contributions;

29 (B) Make commercial solicitations; or

30 (C) Make obscene or otherwise inappropriate comments;

31 (~~(4))~~ (c) Limits on the length and deadlines for submission of  
32 candidates' statements;

33 (~~(5))~~ (d) An appeal process in the case of the rejection of any  
34 statement or argument;

35 (e) Standards related to acceptable candidate photographs; and

36 (f) Standards related to statements for and against any measure.

37 (2) The county auditor shall adopt and publish local  
38 administrative rules necessary to facilitate production of a local  
39 voters' pamphlet. Any amendment to such a rule shall also be adopted  
40 and published. Copies of the rules must identify the date they were

1 adopted or last amended and must be made available to any person upon  
2 request.

3 **Sec. 12.** RCW 29A.32.241 and 2020 c 208 s 12 are each amended to  
4 read as follows:

5 (1) The local voters' pamphlet shall include but not be limited  
6 to the following:

7 (a) Appearing on the cover, the words "official local voters'  
8 pamphlet," the name of the jurisdiction producing the pamphlet, and  
9 the date of the election or primary;

10 (b) A list of jurisdictions that have measures or candidates in  
11 the pamphlet;

12 (c) Information on how a person may register to vote and obtain a  
13 ballot;

14 (d) Candidate statements and photographs;

15 (e) The text of each measure accompanied by an explanatory  
16 statement prepared by the prosecuting attorney for any county measure  
17 or by the attorney for the jurisdiction submitting the measure if  
18 other than a county measure. All explanatory statements for city,  
19 town, or district measures not approved by the attorney for the  
20 jurisdiction submitting the measure shall be reviewed and approved by  
21 the county prosecuting attorney or city attorney, when applicable,  
22 before inclusion in the pamphlet;

23 ~~((e))~~ (f) The arguments for and against each measure submitted  
24 by committees selected pursuant to RCW 29A.32.280; and

25 ~~((f))~~ (g) A list of all student engagement hubs in the county  
26 as designated under RCW 29A.40.180 ~~(; and~~

27 ~~(g) For partisan primary elections, information on how to vote~~  
28 ~~the applicable ballot format and an explanation that minor political~~  
29 ~~party candidates and independent candidates will appear only on the~~  
30 ~~general election ballot)).~~

31 (2) The county auditor's name may not appear in the local voters'  
32 pamphlet in his or her official capacity if the county auditor is a  
33 candidate for office during the same year. His or her name may only  
34 be included as part of the information normally included for  
35 candidates.

36 **Sec. 13.** RCW 29A.32.250 and 2003 c 111 s 817 are each amended to  
37 read as follows:

1       (~~If the legislative authority of a county or first-class or code~~  
2 ~~city provides for the inclusion of candidates in the local voters'~~  
3 ~~pamphlet, the pamphlet~~) Local voters' pamphlets shall include  
4 ((~~the~~)) candidate statements ((~~from candidates and may also include~~))  
5 that have been accepted by the county auditor and those candidates'  
6 photographs.

7       **Sec. 14.** RCW 29A.32.260 and 2011 c 10 s 30 are each amended to  
8 read as follows:

9       As soon as practicable before the primary, special election, or  
10 general election, the county auditor(~~(, or if applicable, the city~~  
11 ~~clerk of a first-class or code city, as appropriate,)) shall mail the  
12 local voters' pamphlet to every residence in each jurisdiction ((~~that~~  
13 ~~has included information~~)) within the county for all jurisdictions  
14 participating in the associated primary or election for which  
15 election information is included in the pamphlet. The county auditor  
16 ((~~or city clerk, as appropriate,)) may choose to mail the pamphlet to  
17 each registered voter in each jurisdiction that has ((~~included~~  
18 ~~information in the pamphlet~~)) a primary or election, if in his or her  
19 judgment, a more economical and effective distribution of the  
20 pamphlet would result.~~~~

21       **Sec. 15.** RCW 29A.32.280 and 2015 c 146 s 3 are each amended to  
22 read as follows:

23       For each measure from a unit of local government ((~~that is~~))  
24 included in a local voters' pamphlet, the legislative authority of  
25 that jurisdiction shall, not later than the resolution deadline,  
26 formally appoint a committee to prepare arguments advocating voters'  
27 approval of the measure and shall formally appoint a committee to  
28 prepare arguments advocating voters' rejection of the measure. The  
29 authority shall appoint persons that reside within the jurisdictional  
30 boundaries known to favor the measure to serve on the committee  
31 advocating approval and shall, whenever possible, appoint persons  
32 known to oppose the measure to serve on the committee advocating  
33 rejection, these committee members must reside within the  
34 jurisdictional boundaries. Each committee shall have not more than  
35 three members, however, a committee may seek the advice of any person  
36 or persons. If the legislative authority of a unit of local  
37 government fails to make such appointments by the prescribed  
38 deadline, the county auditor shall ((~~whenever possible make the~~

1 appointments)) issue a media release and publish information on their  
2 election website announcing the opportunity to form committees and  
3 provide statements. If the legislative authority fails to make  
4 appointments, the auditor shall make appointments on a first-come,  
5 first-served basis if qualified committee members contact the auditor  
6 by the appropriate deadline. If no statement is produced the auditor  
7 shall include a statement in the pamphlet stating that the district  
8 failed to make appointments and there are no statements for that  
9 measure.

10 **Sec. 16.** RCW 29A.72.025 and 2009 c 415 s 7 are each amended to  
11 read as follows:

12 The office of financial management, in consultation with the  
13 secretary of state, the attorney general, and any other appropriate  
14 state or local agency, shall prepare a fiscal impact statement for  
15 each of the following state ballot measures: (1) An initiative to the  
16 people that is certified to the ballot; (2) an initiative to the  
17 legislature that will appear on the ballot; (3) an alternative  
18 measure appearing on the ballot that the legislature proposes to an  
19 initiative to the legislature; (4) a referendum bill referred to  
20 voters by the legislature; and (5) a referendum measure appearing on  
21 the ballot. Fiscal impact statements must be written in clear and  
22 concise language, avoid legal and technical terms when possible, and  
23 be filed with the secretary of state no later than the (~~tenth~~) 15th  
24 day of (~~August~~) July. Fiscal impact statements may include easily  
25 understood graphics.

26 A fiscal impact statement must describe any projected increase or  
27 decrease in revenues, costs, expenditures, or indebtedness that the  
28 state or local governments will experience if the ballot measure were  
29 approved by state voters. Where appropriate, a fiscal impact  
30 statement may include both estimated dollar amounts and a description  
31 placing the estimated dollar amounts into context. A fiscal impact  
32 statement must include both a summary of not to exceed one hundred  
33 words and a more detailed statement that includes the assumptions  
34 that were made to develop the fiscal impacts.

35 Fiscal impact statements must be available online from the  
36 secretary of state's website and included in the state voters'  
37 pamphlet. Additional information may be posted on the website of the  
38 office of financial management.

1        NEW SECTION.   **Sec. 17.**   This act takes effect January 1, 2022.

--- **END** ---