

1 **SB 6571 - H AMD 0481 FAILED 3-8-02**

2 By Representative Schindler

3 On page 2, after line 10, insert the following:

4 "NEW SECTION. **Sec. 2.** A new section is added to chapter 29.79  
5 RCW to read as follows:

6 Once a fiscal impact statement is filed with the secretary of  
7 state, the secretary of state shall immediately provide the text of the  
8 fiscal impact statement to the person or persons proposing the ballot  
9 measure and any others who have made written request for notification  
10 of the exact language of the statement.

11 A person dissatisfied with the fiscal impact statement may appeal  
12 to the superior court of Thurston County within five days of the filing  
13 date and must state reasons for the appeal. A copy of the petition and  
14 a notice of the appeal must be served on the secretary of state and the  
15 attorney general. The court shall examine the ballot measure and the  
16 fiscal impact statement, and may hear arguments. The court shall  
17 render its decision and certify to and file with the secretary of state  
18 a fiscal impact statement it determines is sufficient.

19 The decision of the superior court is final, and its fiscal impact  
20 statement is the established fiscal impact statement.

21 NEW SECTION. **Sec. 3.** A new section is added to chapter 29.79 RCW  
22 to read as follows:

23 Any person injured by the negligent preparation of a fiscal impact  
24 statement by a state agency is entitled to recover economic damages and  
25 reasonable costs and attorneys' fees incurred as a result of the  
26 negligent preparation of the fiscal impact statement."

27 Correct the title and renumber the remaining section  
28 consecutively.

**EFFECT:** Allows anyone dissatisfied with the fiscal impact statement to appeal to Thurston County Superior Court. The court determines whether the fiscal impact statement is sufficient and provides an alternate version if the statement provided by the OFM is determined to be in error. Anyone who is injured economically

as a result of negligent preparation of a fiscal impact statement by a state agency may recover economic damages and reasonable costs and attorneys' fees.