

CERTIFICATION OF ENROLLMENT  
**ENGROSSED SUBSTITUTE SENATE BILL 6130**

Chapter 4, Laws of 2010

61st Legislature  
2010 Regular Session

TAX AND FEE INCREASES--INITIATIVE 960--SUSPENSION

EFFECTIVE DATE: 02/24/10

Passed by the Senate February 22, 2010  
YEAS 26 NAYS 21

ROSA FRANKLIN

**President of the Senate**

Passed by the House February 17, 2010  
YEAS 51 NAYS 47

FRANK CHOPP

**Speaker of the House of Representatives**

Approved February 24, 2010, 4:15 p.m.

CHRISTINE GREGOIRE

**Governor of the State of Washington**

CERTIFICATE

I, Thomas Hoemann, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE SENATE BILL 6130** as passed by the Senate and the House of Representatives on the dates hereon set forth.

THOMAS HOEMANN

**Secretary**

FILED

February 25, 2010

**Secretary of State  
State of Washington**

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ENGROSSED SUBSTITUTE SENATE BILL 6130

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AS AMENDED BY THE HOUSE

Passed Legislature - 2010 Regular Session

State of Washington                      61st Legislature                      2010 Regular Session

By Senate Ways & Means (originally sponsored by Senator Prentice)

READ FIRST TIME 02/09/10.

1            AN ACT Relating to amending provisions related to Initiative No.  
2            960; amending RCW 43.135.035 and 43.135.041; adding a new section to  
3            chapter 43.135 RCW; and declaring an emergency.

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

5            NEW SECTION.    **Sec. 1.** A new section is added to chapter 43.135 RCW  
6            to read as follows:

7            In order to preserve funding for education, public safety, health  
8            care, and safety net services for elderly, disabled, and vulnerable  
9            people, it is the intent of the legislature to provide a means to  
10           stabilize revenue collections.

11           **Sec. 2.** RCW 43.135.035 and 2009 c 479 s 36 are each amended to  
12           read as follows:

13           (1) After July 1, (~~(1995)~~) 2011, any action or combination of  
14           actions by the legislature that raises taxes may be taken only if  
15           approved by a two-thirds vote of each house of the legislature, and  
16           then only if state expenditures in any fiscal year, including the new  
17           revenue, will not exceed the state expenditure limits established under

1 this chapter. Pursuant to the referendum power set forth in Article  
2 II, section 1(b) of the state Constitution, tax increases may be  
3 referred to the voters for their approval or rejection at an election.

4 (2)(a) If the legislative action under subsection (1) of this  
5 section will result in expenditures in excess of the state expenditure  
6 limit, then the action of the legislature shall not take effect until  
7 approved by a vote of the people at a November general election. The  
8 state expenditure limit committee shall adjust the state expenditure  
9 limit by the amount of additional revenue approved by the voters under  
10 this section. This adjustment shall not exceed the amount of revenue  
11 generated by the legislative action during the first full fiscal year  
12 in which it is in effect. The state expenditure limit shall be  
13 adjusted downward upon expiration or repeal of the legislative action.

14 (b) The ballot title for any vote of the people required under this  
15 section shall be substantially as follows:

16 "Shall taxes be imposed on . . . . . in order to allow a  
17 spending increase above last year's authorized spending adjusted for  
18 personal income growth?"

19 (3)(a) The state expenditure limit may be exceeded upon declaration  
20 of an emergency for a period not to exceed twenty-four months by a law  
21 approved by a two-thirds vote of each house of the legislature and  
22 signed by the governor. The law shall set forth the nature of the  
23 emergency, which is limited to natural disasters that require immediate  
24 government action to alleviate human suffering and provide humanitarian  
25 assistance. The state expenditure limit may be exceeded for no more  
26 than twenty-four months following the declaration of the emergency and  
27 only for the purposes contained in the emergency declaration.

28 (b) Additional taxes required for an emergency under this section  
29 may be imposed only until thirty days following the next general  
30 election, unless an extension is approved at that general election.  
31 The additional taxes shall expire upon expiration of the declaration of  
32 emergency. The legislature shall not impose additional taxes for  
33 emergency purposes under this subsection unless funds in the education  
34 construction fund have been exhausted.

35 (c) The state or any political subdivision of the state shall not  
36 impose any tax on intangible property listed in RCW 84.36.070 as that  
37 statute exists on January 1, 1993.

1 (4) If the cost of any state program or function is shifted from  
2 the state general fund to another source of funding, or if moneys are  
3 transferred from the state general fund to another fund or account, the  
4 state expenditure limit committee, acting pursuant to RCW  
5 43.135.025(5), shall lower the state expenditure limit to reflect the  
6 shift. For the purposes of this section, a transfer of money from the  
7 state general fund to another fund or account includes any state  
8 legislative action taken that has the effect of reducing revenues from  
9 a particular source, where such revenues would otherwise be deposited  
10 into the state general fund, while increasing the revenues from that  
11 particular source to another state or local government account. This  
12 subsection does not apply to: (a) The dedication or use of lottery  
13 revenues under RCW 67.70.240(3), in support of education or education  
14 expenditures; or (b) a transfer of moneys to, or an expenditure from,  
15 the budget stabilization account.

16 (5) If the cost of any state program or function and the ongoing  
17 revenue necessary to fund the program or function are shifted to the  
18 state general fund on or after January 1, 2007, the state expenditure  
19 limit committee, acting pursuant to RCW 43.135.025(5), shall increase  
20 the state expenditure limit to reflect the shift unless the shifted  
21 revenue had previously been shifted from the general fund.

22 (6) For the purposes of chapter 1, Laws of 2008, "raises taxes"  
23 means any action or combination of actions by the legislature that  
24 increases state tax revenue deposited in any fund, budget, or account,  
25 regardless of whether the revenues are deposited into the general fund.

26 **Sec. 3.** RCW 43.135.041 and 2008 c 1 s 6 are each amended to read  
27 as follows:

28 (1)(a) After July 1, 2011, if legislative action raising taxes as  
29 defined by RCW 43.135.035 is blocked from a public vote or is not  
30 referred to the people by a referendum petition found to be sufficient  
31 under RCW 29A.72.250, a measure for an advisory vote of the people is  
32 required and shall be placed on the next general election ballot under  
33 chapter 1, Laws of 2008.

34 ~~((a))~~ (b) If legislative action raising taxes enacted after July  
35 1, 2011, involves more than one revenue source, each tax being  
36 increased shall be subject to a separate measure for an advisory vote  
37 of the people under the requirements of chapter 1, Laws of 2008.

1 (2) No later than the first of August, the attorney general will  
2 send written notice to the secretary of state of any tax increase that  
3 is subject to an advisory vote of the people, under the provisions and  
4 exceptions provided by chapter 1, Laws of 2008. Within five days of  
5 receiving such written notice from the attorney general, the secretary  
6 of state will assign a serial number for a measure for an advisory vote  
7 of the people and transmit one copy of the measure bearing its serial  
8 number to the attorney general as required by RCW 29A.72.040, for any  
9 tax increase identified by the attorney general as needing an advisory  
10 vote of the people for that year's general election ballot. Saturdays,  
11 Sundays, and legal holidays are not counted in calculating the time  
12 limits in this subsection.

13 (3) For the purposes of this section, "blocked from a public vote"  
14 includes adding an emergency clause to a bill increasing taxes, bonding  
15 or contractually obligating taxes, or otherwise preventing a referendum  
16 on a bill increasing taxes.

17 (4) If legislative action raising taxes is referred to the people  
18 by the legislature or is included in an initiative to the people found  
19 to be sufficient under RCW 29A.72.250, then the tax increase is exempt  
20 from an advisory vote of the people under chapter 1, Laws of 2008.

21 NEW SECTION. **Sec. 4.** This act is necessary for the immediate  
22 preservation of the public peace, health, or safety, or support of the  
23 state government and its existing public institutions, and takes effect  
24 immediately.

Passed by the Senate February 22, 2010.

Passed by the House February 17, 2010.

Approved by the Governor February 24, 2010.

Filed in Office of Secretary of State February 25, 2010.