

# HOUSE BILL REPORT

## HB 1942

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**As Reported by House Committee On:**  
State Government

**Title:** An act relating to ballot measures regarding required information and filing fees.

**Brief Description:** Concerning ballot measures regarding required information and filing fees.

**Sponsors:** Representatives Tarleton, Moscoso, Ryu and S. Hunt.

**Brief History:**

**Committee Activity:**

State Government: 2/17/15, 2/19/15 [DPS].

**Brief Summary of Substitute Bill**

- Requires the filing of a voter-initiated ballot measure to include a \$50 filing fee, or a \$5 fee along with 500 signatures, and information of any entity using paid signature gathers for the petition.
- Creates an account to receive funds from voter-initiated ballot measure filing fees to be used for processing ballot measures.

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### HOUSE COMMITTEE ON STATE GOVERNMENT

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 4 members: Representatives S. Hunt, Chair; Bergquist, Vice Chair; Appleton and Gregory.

**Minority Report:** Do not pass. Signed by 3 members: Representatives Holy, Ranking Minority Member; Van Werven, Assistant Ranking Minority Member; Hawkins.

**Staff:** Sean Flynn (786-7124).

**Background:**

Any voter may initiate a ballot measure to petition the Legislature to enact a proposed measure, submit a proposed initiative to the people, or order a referendum to the people on a law passed by the Legislature. The sponsor of the measure, must file a proposal with the

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Secretary of State (Secretary) along with an affidavit that he or she is a legal voter and a filing fee, as established by rule.

The Code Reviser must review a proposed initiative measure and make advisory recommendations to the sponsor regarding the revision or alteration of the measure as needed and appropriate. Upon completing review, the Code Reviser must certify that the review is completed and that any recommendations have been communicated to the sponsor. The certificate must be issued regardless of whether or not the sponsor has agreed to any of the recommendations. The sponsor must file the proposed initiative measure along with the Code Reviser's certificate of review to the Secretary's Office for assignment of a serial number and official processing.

After the Secretary has issued a serial number, the proponent must obtain the signatures of legal voters equal to at least 8 percent of all votes cast at the last election for the Office of the Governor. The Secretary must verify the signatures and, if sufficient, certify the measure for inclusion in the next election.

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#### **Summary of Substitute Bill:**

At the time of initially filing a proposed measure, the proponent of the measure must provide the Secretary with the following information:

- the sponsor's name, address, and phone number;
- the name and address of any entity that will be using paid signature gatherers, and the Unified Business Identifier number of the entity; and
- any other information deemed necessary by the Secretary.

The filing fee for any proposed measure is \$50, or \$5 along with 500 registered voters.

The Secretary may not assign a serial number to the measure if the filing fee has not been paid, and the sponsor has not provided the current Unified Business Identifier number for an entity gathering signatures.

The ballot measure account (account) is created to receive funds from the filing fees imposed for proposing a ballot measure. The Secretary may use the account funds to offset costs related to processing ballot measures. An appropriation is not required for expenditures from the account.

#### **Substitute Bill Compared to Original Bill:**

The substitute bill removes the requirement that multiple filings by the same requestor on the same subject matter must pay \$100 per measure in addition to the initial filing fee.

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**Appropriation:** None.

**Fiscal Note:** Available. New fiscal note requested on February 20, 2015.

**Effective Date of Substitute Bill:** The bill takes effect on January 1, 2016.

**Staff Summary of Public Testimony:**

(In support) Ballot initiatives are the most direct form of democracy in this state, and a fundamental way that government operates in the state. While initiative access must be preserved, this bill simply updates a law that is over 30 years old and not responsive to current political issues. This bill acknowledges that large corporations are filing initiatives and that the initiative process is now a big business in its own right. This bill addresses the practice of ballot title shopping, by filing multiple measures on the same issue in order to choose the most attractive title for their measure.

Raising the filing fee acknowledges that processing ballot measures costs money. The Secretary, the Attorney General, and the Office of Financial Management all have administrative costs in preparing a ballot measure. Initiatives are a public service that require public funding. Based on inflation, the \$5 fee would now be about \$125 in today's dollars. The current \$5 filing fee would still apply when accompanied by 500 signatures, which preserves access for grassroots organizing. In Oregon, initiatives now require 1,000 signatures, which actually has increased the filings from grassroots organizations.

(Opposed) None.

**Persons Testifying:** Representative Tarleton, prime sponsor; and Andrew Villeneuve, Northwest Progressive Institute.

**Persons Signed In To Testify But Not Testifying:** None.