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HOUSE BILL 2055

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State of Washington

64th Legislature

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By Representatives Johnson, S. Hunt, Walsh, Van De Wege, Haler, Appleton, Hawkins, Robinson, Zeiger, Sawyer, Wilson, Clibborn, Scott, Kagi, Buys, Fagan, and Tharinger

Read first time 02/09/15. Referred to Committee on State Government.

1 AN ACT Relating to statements on ballot measures in voters'  
2 pamphlets; and amending RCW 29A.32.040, 29A.32.060, and 29A.72.025.

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

4 **Sec. 1.** RCW 29A.32.040 and 2009 c 415 s 3 are each amended to  
5 read as follows:

6 (1) Explanatory statements prepared by the attorney general under  
7 RCW 29A.32.070 (3) and (4) must be written in clear and concise  
8 language, avoiding legal and technical terms when possible.  
9 Statements are initiated by written request from the secretary of  
10 state, and must be filed with the secretary of state ((no later than  
11 the tenth day of August)) by the date provided in the request.

12 (2) When the explanatory statements for a measure initiated by  
13 petition ((is)) are filed with the secretary of state, the secretary  
14 of state shall immediately provide the text of the ((explanatory))  
15 statements to the person proposing the measure and any others who  
16 have made written request for notification of the exact language of  
17 the ((explanatory)) statements. When the ((explanatory)) statements  
18 for a measure referred to the ballot by the legislature ((is)) are  
19 filed with the secretary of state, the secretary of state shall  
20 immediately provide the text of the ((explanatory)) statements to the  
21 presiding officer of the senate ((and)), the presiding officer of the

1 house of representatives, the prime sponsor, and any others who have  
2 made written request for notification of the exact language of the  
3 ((~~explanatory~~)) statements.

4 (3) A person dissatisfied with the ((~~explanatory~~)) statements may  
5 appeal to the superior court of Thurston County within five days of  
6 the filing date. A copy of the petition and a notice of the appeal  
7 must be served on the secretary of state and the attorney general.  
8 The court shall examine the measure, the ((~~explanatory~~)) statements,  
9 and objections, and may hear arguments. The court shall render its  
10 decision and certify to and file with the secretary of state ((~~an~~  
11 ~~explanatory~~)) a statement it determines will meet the requirements of  
12 this chapter, and within the timelines identified by the secretary of  
13 state.

14 The decision of the superior court is final, and its  
15 ((~~explanatory~~)) statement is the established explanatory statement.  
16 The appeal must be heard without costs to either party.

17 **Sec. 2.** RCW 29A.32.060 and 2003 c 111 s 806 are each amended to  
18 read as follows:

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

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

33 After the committee submits its initial argument statements to  
34 the secretary of state, the secretary of state shall transmit the  
35 statements to the opposite committee. The opposite committee may then  
36 prepare rebuttal arguments. Rebuttals may not interject new points.

37 The voters' pamphlet may contain only argument statements  
38 prepared according to this section. Arguments may contain graphs and

1 charts supported by factual statistical data and pictures or other  
2 illustrations. Cartoons or caricatures are not permitted.

3 **Sec. 3.** RCW 29A.72.025 and 2009 c 415 s 7 are each amended to  
4 read as follows:

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

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

30 (3) When the fiscal impact statement for a measure initiated by  
31 petition is filed with the secretary of state, the secretary of state  
32 shall immediately provide the text of the statement to the person  
33 proposing the measure and any others who have made written request  
34 for notification of the exact language of the statement. When the  
35 statement for a measure referred to the ballot by the legislature is  
36 filed with the secretary of state, the secretary of state shall  
37 immediately provide the text of the statement to the presiding  
38 officer of the senate, the presiding officer of the house of  
39 representatives, the prime sponsor, and any others who have made

1 written request for notification of the exact language of the  
2 statement.

3 (4) Fiscal impact statements must be available online from the  
4 secretary of state's web site and included in the state voters'  
5 pamphlet. Additional information may be posted on the web site of the  
6 office of financial management.

7 (5)(a) A person dissatisfied with the fiscal impact statement may  
8 appeal to the superior court of Thurston county within five days of  
9 the filing date. A copy of the petition and a notice of the appeal  
10 must be served on the secretary of state and the attorney general.  
11 The court shall examine the measure, the statement, and objections,  
12 and may hear arguments. The court shall render its decision and  
13 certify to and file with the secretary of state a statement it  
14 determines will meet the requirements of this chapter, and within the  
15 timelines identified by the secretary of state.

16 (b) The decision of the superior court is final, and its  
17 statement is the established fiscal impact statement. The appeal must  
18 be heard without costs to either party.

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