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HOUSE BILL 2887

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State of Washington

66th Legislature

2020 Regular Session

By Representatives Vick, Walsh, Hoff, and Kretz

Read first time 01/28/20. Referred to Committee on Civil Rights & Judiciary.

1 AN ACT Relating to prohibiting local governments from suing over  
2 statewide ballot measures; and amending RCW 7.24.010 and 7.40.020.

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

4 **Sec. 1.** RCW 7.24.010 and 1937 c 14 s 1 are each amended to read  
5 as follows:

6 ((Courts)) (1) Except as provided in subsection (2) of this  
7 section, courts of record within their respective jurisdictions shall  
8 have power to declare rights, status and other legal relations  
9 whether or not further relief is or could be claimed. An action or  
10 proceeding shall not be open to objection on the ground that a  
11 declaratory judgment or decree is prayed for. The declaration may be  
12 either affirmative or negative in form and effect; and such  
13 declarations shall have the force and effect of a final judgment or  
14 decree.

15 (2) A county, city, town, special district, or other local  
16 government entity may not obtain a declaratory judgment about its  
17 rights, status, or other legal relations with respect to a statewide  
18 ballot measure.

19 **Sec. 2.** RCW 7.40.020 and 2011 c 336 s 194 are each amended to  
20 read as follows:

1       When it appears by the complaint that the plaintiff is entitled  
2 to the relief demanded and the relief, or any part thereof, consists  
3 in restraining the commission or continuance of some act, the  
4 commission or continuance of which during the litigation would  
5 produce great injury to the plaintiff; or when during the litigation,  
6 it appears that the defendant is doing, or threatened, or is about to  
7 do, or is procuring, or is suffering some act to be done in violation  
8 of the plaintiff's rights respecting the subject of the action  
9 tending to render the judgment ineffectual; or where such relief, or  
10 any part thereof, consists in restraining proceedings upon any final  
11 order or judgment, an injunction may be granted to restrain such act  
12 or proceedings until the further order of the court, which may  
13 afterwards be dissolved or modified upon motion. However, in no  
14 circumstance may a county, city, town, special district, or other  
15 local government obtain an injunction to restrain a statewide ballot  
16 measure. And where it appears in the complaint at the commencement of  
17 the action, or during the pendency thereof, by affidavit, that the  
18 defendant threatens, or is about to remove or dispose of his or her  
19 property with intent to defraud his or her creditors, a temporary  
20 injunction may be granted to restrain the removal or disposition of  
21 his or her property.

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