H-3509.1

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**HOUSE BILL 2428**

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**State of Washington 65th Legislature 2018 Regular Session**

**By** Representatives Hudgins and Bergquist

AN ACT Relating to providing for taxpayer protection by reducing costs in ballot production; amending RCW 29A.32.070, 29A.72.290, and 43.135.041; and creating a new section.

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

NEW SECTION. **Sec.**  The legislature finds that the costs of conducting state and local elections places a substantial financial burden on local governments, which is passed on to the taxpayers. The legislature further finds that the preparation, production, distribution, and canvassing of election ballots is a significant cost in election administration. Therefore, the legislature intends to improve the efficiency and cost-effectiveness of ballot production in order to reduce the burden of election costs on state and local taxpayers.

**Sec.**  RCW 29A.32.070 and 2016 c 83 s 1 are each amended to read as follows:

The secretary of state shall determine the format and layout of the voters' pamphlet published under RCW 29A.32.010. The secretary of state shall print the pamphlet in clear, readable type on a size, quality, and weight of paper that in the judgment of the secretary of state best serves the voters. The pamphlet must contain a table of contents. Measures and arguments must be printed in the order specified by RCW 29A.72.290.

The secretary of state's name may not appear in the voters' pamphlet in his or her official capacity if the secretary is a candidate for office during the same year. His or her name may only be included as part of the information normally included for candidates.

The voters' pamphlet must provide the following information for each statewide issue on the ballot except measures for an advisory vote of the people whose requirements are provided in subsection (11) of this section:

(1) The legal identification of the measure by serial designation or number;

(2) The official ballot title of the measure;

(3) A statement prepared by the attorney general explaining the law as it presently exists;

(4) A statement prepared by the attorney general explaining the effect of the proposed measure if it becomes law;

(5) The fiscal impact statement prepared under RCW 29A.72.025;

(6) The total number of votes cast for and against the measure in the senate and house of representatives, if the measure has been passed by the legislature;

(7) An argument advocating the voters' approval of the measure together with any statement in rebuttal of the opposing argument;

(8) An argument advocating the voters' rejection of the measure together with any statement in rebuttal of the opposing argument;

(9) Each argument or rebuttal statement must be followed by the names of the committee members who submitted them, and may be followed by a telephone number that citizens may call to obtain information on the ballot measure;

(10) The full text of the measure;

(11) Two pages shall be provided in the general election voters' pamphlet for each measure for an advisory vote of the people under RCW 43.135.041 and shall consist of the serial number assigned by the secretary of state under RCW 29A.72.040, the short description formulated by the attorney general under RCW 29A.72.283, the tax increase's most up‑to‑date ten‑year cost projection, including a year‑by‑year breakdown, by the office of financial management under RCW 43.135.031, and the names of the legislators, and their contact information, and how they voted on the increase upon final passage so they can provide information to, and answer questions from, the public. The voters' pamphlet must include notice and instructions for using any alternative electronic voting method authorized in each county, pursuant to RCW 29A.72.290(3). For the purposes of this subsection, "names of legislators, and their contact information" includes each legislator's position (senator or representative), first name, last name, party affiliation (for example, Democrat or Republican), city or town they live in, office phone number, and office email address.

**Sec.**  RCW 29A.72.290 and 2013 c 11 s 76 are each amended to read as follows:

(1) Subject to subsection (2) of this section, the county auditor of each county shall print on the official ballots for the election at which initiative and referendum measures and measures for an advisory vote of the people are to be submitted to the people for their approval or rejection, the serial numbers and ballot titles certified by the secretary of state and the serial numbers and short descriptions of measures for an advisory vote of the people. They must appear under separate headings in the order of the serial numbers as follows:

((~~(1)~~)) (a) Initiatives to the people;

((~~(2)~~)) (b) Referendum measures;

((~~(3)~~)) (c) Referendum bills;

((~~(4)~~)) (d) Initiatives to the legislature;

((~~(5)~~)) (e) Initiatives to the legislature and legislative alternatives;

((~~(6)~~)) (f) Advisory votes;

((~~(7)~~)) (g) Proposed constitutional amendments.

(2) If the county auditor determines that inclusion of a measure for an advisory vote may compromise the efficient use of ballot space and election resources, the auditor may decide to change the order of the advisory vote on the ballot by printing it at the end of the ballot or other location, or to remove the advisory vote from the ballot.

(3) If the measure for an advisory vote is removed from the ballot the county auditor must provide an alternative electronic voting method that is accessible on the county auditor's web site and at the county election office during the election. The county auditor must include notice on the official ballot if an alternative electronic voting method is being used for an advisory vote.

(4) The alternative electronic voting method authorized in subsection (3) of this section must:

(a) Be made available during the same period as the general election, though is not required to follow the specific requirements for voting systems or canvassing under this chapter;

(b) Preserve the secrecy of the vote;

(c) Require each voter to attest that he or she is a qualified registered voter of the state before submitting a vote on the measure; and

(d) Use the same description and format for the measure as required under RCW 29A.72.283.

(5) The secretary of state may make rules to govern the procedures and implementation of alternative electronic voting methods authorized in this section.

**Sec.**  RCW 43.135.041 and 2013 c 1 s 6 are each amended to read as follows:

(1)(a) After July 1, 2011, if legislative action raising taxes as defined by RCW 43.135.034 is blocked from a public vote or is not referred to the people by a referendum petition found to be sufficient under RCW 29A.72.250, a measure for an advisory vote of the people is required ((~~and shall be placed on~~)) for the next general election ((~~ballot under this chapter~~)), either on the official election ballot or otherwise in a manner consistent with RCW 29A.72.290.

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

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

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

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

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