

SB 5224 - H AMD TO SGOV COMM AMD (H-2439.1/19) **664**
By Representative Goehner

NOT CONSIDERED 12/23/2019

1 Beginning on page 1, line 3, strike all of section 1 and insert
2 the following:

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

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

11 ~~(b) If legislative action raising taxes enacted after July 1,~~
12 ~~2011, involves more than one revenue source, each tax being increased~~
13 ~~shall be subject to a separate measure for an advisory vote of the~~
14 ~~people under the requirements of this chapter.~~

15 ~~(2))~~ No later than the first of August, the attorney general
16 ~~((will))~~ must identify all legislation passed in the preceding year
17 that increases state revenue deposited into the general fund. Except
18 as provided in subsection (3) of this section, the two largest
19 revenue increases to the general fund are subject to an advisory vote
20 on the next general election ballot.

21 (2) No later than the eighth of August, the attorney general must
22 send written notice to the secretary of state of any ~~((tax))~~ revenue
23 increase that is subject to an advisory vote of the people ~~((r))~~ under
24 the provisions and exceptions ~~((provided by this chapter))~~ in this
25 section. Within five days of receiving ~~((such))~~ the written notice
26 from the attorney general, the secretary of state ~~((will))~~ must
27 assign a serial number ~~((for a))~~ to each measure for an advisory vote
28 of the people and transmit one copy of the measure bearing its serial
29 number to the attorney general as required by RCW 29A.72.040 ~~((r for~~
30 any tax increase identified by the attorney general as needing an
31 advisory vote of the people for that year's general election

1 ballot)). Saturdays, Sundays, and legal holidays are not counted in
2 calculating the time limits in this subsection.

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

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

12 On page 2, beginning on line 21, after "ballot" strike all
13 material through "~~section))~~" on line 23 and insert ", except measures
14 for an advisory vote of the people (~~(whose))~~ for which the
15 requirements are provided in subsection (11) of this section"

16 On page 3, beginning on line 5, after "measure" strike all
17 material through "~~43.135.031,~~" on line 13 and insert ";

18 (11) (~~Two pages shall be provided in the general election~~
19 ~~voters' pamphlet)~~) For each measure for an advisory vote of the
20 people under RCW 43.135.041 (~~(and shall consist of)~~):

21 (a) The serial number assigned by the secretary of state under
22 RCW 29A.72.040 (~~(τ)~~);

23 (b) The short description formulated by the attorney general
24 under RCW 29A.72.283 (~~(τ)~~);

25 (c) The (~~(tax)~~) revenue increase's most up-to-date (~~(ten-year~~
26 ~~est)) four-year revenue projection, including a year-by-year
27 breakdown, by the office of financial management under RCW
28 43.135.031 (~~(τ)~~"~~

29 On page 3, line 20, after "address))" insert ";

30 (d) The total number of votes cast for and against the measure in
31 the senate and house of representatives;

32 (e) A statement by the attorney general explaining the purpose of
33 the revenue increase; and

34 (f) A statement by the attorney general explaining that the vote
35 is advisory and will not directly change the law"

1 On page 3, line 35, after "~~people.)~~" insert "However, statewide
2 advisory votes placed on the ballot pursuant to RCW 43.135.041 are
3 not subject to a recount under this section."

4 Beginning on page 3, line 36, strike all of sections 4 and 5

5 Renumber the remaining sections consecutively and correct any
6 internal references accordingly.

7 On page 4, at the beginning of line 29, strike all material
8 through "~~people.)~~" and insert "and measures for an advisory vote of
9 the people"

10 On page 5, line 3, after "amendments" insert ";
11 (7) Advisory votes"

12 On page 5, beginning on line 4, strike all of section 7 and
13 insert the following:

14 "**Sec. 5.** RCW 29A.72.283 and 2008 c 1 s 8 are each amended to
15 read as follows:

16 Within five days of receipt of a measure for an advisory vote of
17 the people from the secretary of state under RCW 29A.72.040, the
18 attorney general shall formulate a short description, not exceeding
19 thirty-three words and not subject to appeal, of each ~~((tax))~~ revenue
20 increase and shall transmit a certified copy of ~~((such))~~ the short
21 description ~~((meeting the requirements of this section))~~ to the
22 secretary of state. The description must be formulated and displayed
23 on the ballot substantially as follows:

24 "The legislature ~~((imposed, without a vote of the people,))~~ passed
25 (identification ((of tax)) and description of revenue increase),
26 ((costing)) generating (most up-to-date ~~((ten-year cost))~~ four-year
27 revenue projection, expressed in dollars and rounded to the nearest
28 tenth of one million) in its first ~~((ten))~~ four years ~~((for~~
29 ~~government spending))~~. I advise that this ((tax)) revenue increase
30 should be:

31 Repealed..... []

32 Maintained..... []"

1 Saturdays, Sundays, and legal holidays are not counted in calculating
2 the time limits in this section. The words "I advise that this
3 (~~tax~~) revenue increase should be: Repealed . . . []
4 Maintained . . . []" are not counted in the thirty-three word limit
5 for a short description under this section.

6 **Sec. 6.** RCW 43.135.031 and 2013 c 1 s 5 are each reenacted and
7 amended to read as follows:

8 (1) For any bill introduced in either the house of
9 representatives or the senate that raises taxes as defined by RCW
10 43.135.034 or increases fees, the office of financial management must
11 expeditiously determine (~~its cost to the taxpayers~~) the amount of
12 revenue it will generate in its first (~~ten~~) four years of
13 imposition, must promptly and without delay report the results of its
14 analysis by public press release via email to each member of the
15 house of representatives, each member of the senate, the news media,
16 and the public, and must post and maintain these releases on its web
17 site. Any (~~ten-year cost~~) four-year revenue projection must include
18 a year-by-year breakdown. For any bill containing more than one
19 revenue source, a (~~ten-year cost~~) four-year revenue projection for
20 each revenue source (~~will~~) must be included along with the bill's
21 total (~~ten-year cost~~) four-year revenue projection. The press
22 release shall include the names of the legislators, and their contact
23 information, who are sponsors and cosponsors of the bill so they can
24 provide information to, and answer questions from, the public.

25 (2) Any time any legislative committee schedules a public hearing
26 on a bill that raises taxes as defined by RCW 43.135.034 or increases
27 fees, the office of financial management must promptly and without
28 delay report the results of its most up-to-date analysis of the bill
29 required by subsection (1) of this section and the date, time, and
30 location of the hearing by public press release via email to each
31 member of the house of representatives, each member of the senate,
32 the news media, and the public, and must post and maintain these
33 releases on its web site. The press release required by this
34 subsection must include all the information required by subsection
35 (1) of this section and the names of the legislators, and their
36 contact information, who are members of the legislative committee
37 conducting the hearing so they can provide information to, and answer
38 questions from, the public.

1 (3) Each time a bill that raises taxes as defined by RCW
2 43.135.034 or increases fees is approved by any legislative committee
3 or by at least a simple majority in either the house of
4 representatives or the senate, the office of financial management
5 must expeditiously reexamine and redetermine its (~~ten-year cost~~)
6 four-year revenue projection due to amendment or other changes during
7 the legislative process, must promptly and without delay report the
8 results of its most up-to-date analysis by public press release via
9 email to each member of the house of representatives, each member of
10 the senate, the news media, and the public, and must post and
11 maintain these releases on its web site. Any (~~ten-year cost~~) four-
12 year revenue projection must include a year-by-year breakdown. For
13 any bill containing more than one revenue source, a (~~ten-year cost~~)
14 four-year revenue projection for each revenue source will be included
15 along with the bill's total (~~ten-year cost~~) four-year revenue
16 projection. The press release shall include the names of the
17 legislators, and their contact information, and how they voted on the
18 bill so they can provide information to, and answer questions from,
19 the public.

20 (4) For the purposes of this section, "names of legislators, and
21 their contact information" includes each legislator's position
22 (senator or representative), first name, last name, party affiliation
23 (for example, Democrat or Republican), city or town they live in,
24 office phone number, and office email address.

25 (5) For the purposes of this section, "news media" means any
26 member of the press or media organization, including newspapers,
27 radio, and television, that signs up with the office of financial
28 management to receive the public press releases by email.

29 (6) For the purposes of this section, "the public" means any
30 person, group, or organization that signs up with the office of
31 financial management to receive the public press releases by email."

EFFECT: Restores the advisory votes that were stricken by the
underlying bill, but with the following changes:

(1) Limits advisory votes to only the two largest revenue
increases to the general fund;

(2) Requires the voters' pamphlet to include a statement by the
attorney general explaining the purpose of each revenue increase, as
well as a statement explaining that the vote is advisory and will not
directly change the law;

(3) Requires the Office of Financial Management to calculate
four-year revenue projections, rather than ten-year cost projections,
for each measure raising taxes, and replaces the ten-year cost

projection for each measure on the advisory vote ballot with a four-year revenue projection;

(4) Rewords language in the short description of advisory votes to replace "imposed, without a vote of the people," "costing," and "for government spending," and to specify that the voter is only advising whether the revenue increase should be repealed or maintained; and

(5) Replaces "tax increase" with "revenue increase" throughout the sections governing advisory votes.

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