

SSB 5082 - S AMD 3  
By Senator Kuderer

ADOPTED AS AMENDED 02/08/2023

1 Strike everything after the enacting clause and insert the  
2 following:

3 "PART I

4 STATEMENT OF LEGISLATIVE INTENT

5 NEW SECTION. **Sec. 1.** The legislature finds that making the act  
6 of casting a ballot as simple as possible will help promote the free  
7 and equal elections guaranteed by Article I, section 19 and Article  
8 VI, section 1 of the Washington state Constitution. The legislature  
9 recognizes that transparency and fiscal responsibility are important  
10 to the people of Washington, and that election administration and  
11 ballot design should reflect these long-held values. The legislature  
12 further finds that the people rightfully expect items on their  
13 ballots to be neutrally and accurately worded. Finally, the  
14 legislature finds for the votes that Washingtonians cast to have  
15 meaning, the ballot must be limited to candidate elections that give  
16 the people the power to choose their representatives or ballot  
17 measures that determine what laws and plan of government the state  
18 and its localities shall have.

19 PART II

20 REPEAL OF ADVISORY VOTES

21 **Sec. 2.** RCW 29A.32.070 and 2016 c 83 s 1 are each amended to  
22 read as follows:

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

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

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

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

12 (2) The official ballot title of the measure;

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

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

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

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

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

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

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

29 (10) The full text of the measure(~~+~~

30 ~~(11) Two pages shall be provided in the general election voters'~~  
31 ~~pamphlet for each measure for an advisory vote of the people under~~  
32 ~~RCW 43.135.041 and shall consist of the serial number assigned by the~~  
33 ~~secretary of state under RCW 29A.72.040, the short description~~  
34 ~~formulated by the attorney general under RCW 29A.72.283, the tax~~  
35 ~~increase's most up-to-date ten-year cost projection, including a~~  
36 ~~year-by-year breakdown, by the office of financial management under~~  
37 ~~RCW 43.135.031, and the names of the legislators, and their contact~~  
38 ~~information, and how they voted on the increase upon final passage so~~  
39 ~~they can provide information to, and answer questions from, the~~  
40 ~~public. For the purposes of this subsection, "names of legislators,~~

1 ~~and their contact information" includes each legislator's position~~  
2 ~~(senator or representative), first name, last name, party affiliation~~  
3 ~~(for example, Democrat or Republican), city or town they live in,~~  
4 ~~office phone number, and office email address)).~~

5 **Sec. 3.** RCW 29A.64.090 and 2016 c 204 s 1 are each amended to  
6 read as follows:

7 When the official canvass of returns of any election reveals that  
8 the difference in the number of votes cast for the approval of a  
9 statewide measure and the number of votes cast for the rejection of  
10 such measure is less than two thousand votes and also less than one-  
11 half of one percent of the total number of votes cast on such  
12 measure, the secretary of state shall direct that a recount of all  
13 votes cast on such measure be made on such measure, in the manner  
14 provided by RCW 29A.64.041 and 29A.64.061, and the cost of such  
15 recount will be at state expense. ~~((This section does not apply to~~  
16 ~~any statewide advisory vote of the people that was placed on the~~  
17 ~~ballot pursuant to RCW 43.135.041 and the secretary of state shall~~  
18 ~~not direct any recount for any statewide advisory vote of the~~  
19 ~~people.))~~

20 **Sec. 4.** RCW 29A.72.040 and 2008 c 1 s 7 are each amended to read  
21 as follows:

22 The secretary of state shall give a serial number to each  
23 initiative, referendum bill, or referendum measure, ~~((or measure for~~  
24 ~~an advisory vote of the people,))~~ using a separate series for  
25 initiatives to the legislature, initiatives to the people, referendum  
26 bills, and referendum measures, ~~((and measures for an advisory vote~~  
27 ~~of the people,))~~ and forthwith transmit one copy of the measure  
28 proposed bearing its serial number to the attorney general.  
29 Thereafter a measure shall be known and designated on all petitions,  
30 ballots, and proceedings as "Initiative Measure No. . . . .,"  
31 "Referendum Bill No. . . . .," or "Referendum Measure No. . . . .  
32 ~~((r))."~~ ~~((or "Advisory Vote No. . . . ."))~~

33 **Sec. 5.** RCW 29A.72.250 and 2013 c 11 s 75 are each amended to  
34 read as follows:

35 If a referendum or initiative petition for submission of a  
36 measure to the people is found sufficient, the secretary of state  
37 shall at the time and in the manner that he or she certifies to the

1 county auditors of the various counties the names of candidates for  
2 state and district officers certify to each county auditor the serial  
3 numbers and ballot titles of the several initiative and referendum  
4 measures (~~(and serial numbers and short descriptions of measures~~  
5 ~~submitted for an advisory vote of the people))~~) to be voted upon at  
6 the next ensuing general election or special election ordered by the  
7 legislature.

8 **Sec. 6.** RCW 29A.72.290 and 2022 c 114 s 4 are each amended to  
9 read as follows:

10 The county auditor of each county shall print the serial numbers,  
11 ballot titles, and public investment impact disclosures certified by  
12 the secretary of state on the official ballots for the election at  
13 which initiative and referendum measures (~~(and measures for an~~  
14 ~~advisory vote of the people))~~) are to be submitted to the people for  
15 their approval or rejection(~~(, the serial numbers, ballot titles, and~~  
16 ~~public investment impact disclosures certified by the secretary of~~  
17 ~~state and the serial numbers and short descriptions of measures for~~  
18 ~~an advisory vote of the people))~~). They must appear under separate  
19 headings in the order of the serial numbers as follows:

- 20 (1) Initiatives to the people;  
21 (2) Referendum measures;  
22 (3) Referendum bills;  
23 (4) Initiatives to the legislature;  
24 (5) Initiatives to the legislature and legislative alternatives;  
25 (6) (~~Advisory votes;~~  
26 ~~-7-))~~ Proposed constitutional amendments.

27 NEW SECTION. **Sec. 7.** The following acts or parts of acts are  
28 each repealed:

- 29 (1) RCW 29A.72.283 (Advisory vote on tax legislation—Short  
30 description) and 2008 c 1 s 8;  
31 (2) RCW 29A.72.285 (Advisory vote on tax legislation—Short  
32 description filing and transmittal) and 2008 c 1 s 9; and  
33 (3) RCW 43.135.041 (Tax legislation—Advisory vote—Duties of the  
34 attorney general and secretary of state—Exemption) and 2016 c 1 s 5,  
35 2013 c 1 s 6, 2010 c 4 s 3, & 2008 c 1 s 6.

36 **PART III**

1                                           **INFORMATION REGARDING STATE TAX REVENUE**

2           **Sec. 8.** RCW 29A.32.031 and 2020 c 208 s 11 are each amended to  
3 read as follows:

4           The voters' pamphlet published or distributed under RCW  
5 29A.32.010 must contain:

6           (1) Information about ~~((each measure for an advisory vote of the~~  
7 ~~people and))~~ each ballot measure initiated by or referred to the  
8 voters for their approval or rejection as required by RCW 29A.32.070;

9           (2) In even-numbered years, statements, if submitted, from  
10 candidates for the office of president and vice president of the  
11 United States, United States senator, United States representative,  
12 governor, lieutenant governor, secretary of state, state treasurer,  
13 state auditor, attorney general, commissioner of public lands,  
14 superintendent of public instruction, insurance commissioner, state  
15 senator, state representative, justice of the supreme court, judge of  
16 the court of appeals, or judge of the superior court. Candidates may  
17 also submit campaign contact information and a photograph not more  
18 than five years old in a format that the secretary of state  
19 determines to be suitable for reproduction in the voters' pamphlet;

20           (3) In odd-numbered years, if any office voted upon statewide  
21 appears on the ballot due to a vacancy, then statements and  
22 photographs for candidates for any vacant office listed in subsection  
23 (2) of this section must appear;

24           (4) Contact information for the public disclosure commission  
25 established under RCW 42.17A.100, including the following statement:  
26 "For a list of the people and organizations that donated to state and  
27 local candidates and ballot measure campaigns, visit [www.pdc.wa.gov](http://www.pdc.wa.gov)."  
28 The statement must be placed in a prominent position, such as on the  
29 cover or on the first two pages of the voters' pamphlet. The  
30 secretary of state may substitute such language as is necessary for  
31 accuracy and clarity and consistent with the intent of this section;

32           (5) Contact information for major political parties;

33           (6) A brief statement explaining the deletion and addition of  
34 language for proposed measures under RCW 29A.32.080;

35           (7) A list of all student engagement hubs as designated under RCW  
36 29A.40.180; ~~((and))~~

37           (8) A page providing information about how to access the internet  
38 presentation of the information created in section 9 of this act  
39 about the state budgets, including a uniform resource locator, a

1 quick response code, and a phone number for the legislative  
2 information center. The uniform resource locator and quick response  
3 codes will lead the voter to the internet information required in  
4 section 9 of this act; and

5 (9) Any additional information pertaining to elections as may be  
6 required by law or in the judgment of the secretary of state is  
7 deemed informative to the voters.

8 NEW SECTION. Sec. 9. A new section is added to chapter 44.48  
9 RCW to read as follows:

10 The legislative evaluation and accountability program, in  
11 conjunction with the office of financial management, must create a  
12 website presentation accessible 24 hours a day beginning August 15th  
13 of each year containing the following information:

14 (1) (a) A summary of each of the following:

15 (i) The adopted operating budget and supplemental operating  
16 budget for the most recent fiscal biennium;

17 (ii) The adopted capital budget and supplemental capital budget  
18 for the most recent fiscal biennium; and

19 (iii) The adopted transportation budget and supplemental  
20 transportation budget for the most recent fiscal biennium;

21 (b) Every summary required by (a) of this subsection must  
22 additionally include:

23 (i) The numbers of each bill that was part of the budget for that  
24 session;

25 (ii) Access information for each bill on the official legislative  
26 website;

27 (iii) The date that each bill was approved with brief  
28 instructions on how to locate roll call votes online; and

29 (iv) The number of votes cast for and against each bill;

30 (2) Graphical depictions of funds subject to outlook and a data  
31 visualization showing total budgeted funds for the state operating  
32 budget by functional areas of government for the most recent  
33 biennium;

34 (3) Tables provided by the office of financial management  
35 comparing state and local expenditures with personal income from the  
36 most recent fiscal year available to each fiscal year going back 20  
37 years; and

38 (4) Instructions for voters on how to locate analyses produced in  
39 compliance with RCW 43.135.031."

**ADOPTED AS AMENDED 02/08/2023**

1        On page 1, line 2 of the title, after "votes;" strike the  
2 remainder of the title and insert "amending RCW 29A.32.070,  
3 29A.64.090, 29A.72.040, 29A.72.250, 29A.72.290, and 29A.32.031;  
4 adding a new section to chapter 44.48 RCW; creating a new section;  
5 and repealing RCW 29A.72.283, 29A.72.285, and 43.135.041."

EFFECT: (1) Requires that the voters' pamphlet contain the phone number for the Legislative Information Center rather than the Office of Financial Management.

(2) Requires that the Legislative Evaluation and Accountability Program assist in the creation of the website providing existing information on state budgets and instructions on how to locate summaries of measures required under Initiative 960 (website).

(3) Requires that the website become accessible on August 15th of each year.

(4) Removes word limitation and requirement that revenue sources be described and expenditures categorized for summaries of budgets passed by the Legislature appearing on the website.

(5) Modifies criteria for presentations of funding sources and tables charting expenditures relative to personal income on the website.

(6) Removes requirement that OFM prepare fiscal impact statements for all measures impacting revenue collections.

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