
HOUSE JOINT RESOLUTION 4202

State of Washington

68th Legislature

2023 Regular Session

By Representatives Volz, Walsh, Griffey, Graham, Maycumber, Cheney, Couture, and Schmidt

Read first time 01/13/23. Referred to Committee on State Government & Tribal Relations.

1 BE IT RESOLVED, BY THE SENATE AND HOUSE OF REPRESENTATIVES OF THE
2 STATE OF WASHINGTON, IN LEGISLATIVE SESSION ASSEMBLED:

3 THAT, At the next general election to be held in this state the
4 secretary of state shall submit to the qualified voters of the state
5 for their approval and ratification, or rejection, an amendment to
6 Article II, section 1 of the Constitution of the state of Washington
7 to read as follows:

8 Article II, section 1. The legislative authority of the state of
9 Washington shall be vested in the legislature, consisting of a senate
10 and house of representatives, which shall be called the legislature
11 of the state of Washington, but the people reserve to themselves the
12 power to propose bills, laws, and to enact or reject the same at the
13 polls, independent of the legislature, and also reserve power, at
14 their own option, to approve or reject at the polls any act, item,
15 section, or part of any bill, act, or law passed by the legislature.

16 (a) Initiative: The first power reserved by the people is the
17 initiative. Every such petition shall include the full text of the
18 measure so proposed. In the case of initiatives to the legislature
19 and initiatives to the people, the number of valid signatures of
20 legal voters required shall be equal to eight percent of the votes
21 cast for the office of governor at the last gubernatorial election

1 preceding the initial filing of the text of the initiative measure
2 with the secretary of state.

3 Initiative petitions shall be filed with the secretary of state
4 not less than four months before the election at which they are to be
5 voted upon, or not less than ten days before any regular session of
6 the legislature. If filed at least four months before the election at
7 which they are to be voted upon, he shall submit the same to the vote
8 of the people at the said election. If such petitions are filed not
9 less than ten days before any regular session of the legislature, he
10 shall certify the results within forty days of the filing. If
11 certification is not complete by the date that the legislature
12 convenes, he shall provisionally certify the measure pending final
13 certification of the measure. Such initiative measures, whether
14 certified or provisionally certified, shall take precedence over all
15 other measures in the legislature except appropriation bills and
16 shall be either enacted or rejected without change or amendment by
17 the legislature before the end of such regular session. If any such
18 initiative measures shall be enacted by the legislature it shall be
19 subject to the referendum petition, or it may be enacted and referred
20 by the legislature to the people for approval or rejection at the
21 next regular election. If it is rejected or if no action is taken
22 upon it by the legislature before the end of such regular session,
23 the secretary of state shall submit it to the people for approval or
24 rejection at the next ensuing regular general election. The
25 legislature may reject any measure so proposed by initiative petition
26 and propose a different one dealing with the same subject, and in
27 such event both measures shall be submitted by the secretary of state
28 to the people for approval or rejection at the next ensuing regular
29 general election. When conflicting measures are submitted to the
30 people the ballots shall be so printed that a voter can express
31 separately by making one cross (X) for each, two preferences, first,
32 as between either measure and neither, and secondly, as between one
33 and the other. If the majority of those voting on the first issue is
34 for neither, both fail, but in that case the votes on the second
35 issue shall nevertheless be carefully counted and made public. If a
36 majority voting on the first issue is for either, then the measure
37 receiving a majority of the votes on the second issue shall be law.

38 (b) Referendum. The second power reserved by the people is the
39 referendum, and it may be ordered on any act, bill, law, or any part
40 thereof passed by the legislature, except such laws as may be

1 necessary for the immediate preservation of the public peace, health
2 or safety, support of the state government and its existing public
3 institutions, either by petition signed by the required percentage of
4 the legal voters, or by the legislature as other bills are enacted:
5 *Provided*, That the legislature may not order a referendum on any
6 initiative measure enacted by the legislature under the foregoing
7 subsection (a). The number of valid signatures of registered voters
8 required on a petition for referendum of an act of the legislature or
9 any part thereof, shall be equal to or exceeding four percent of the
10 votes cast for the office of governor at the last gubernatorial
11 election preceding the filing of the text of the referendum measure
12 with the secretary of state.

13 (c)(1) Automatic Referendum on Tax Acts. Any act passed by the
14 legislature that raises taxes is subject to an automatic, mandatory
15 referendum at the next succeeding regular general election. As used
16 in this subsection, an act "raises taxes" when it increases state tax
17 revenue deposited in any fund, budget, or account, regardless of
18 whether the revenues are deposited into the general fund.

19 (2) If voters reject the act, the bill shall return to the
20 chamber of the legislature from which it originated. The bill shall
21 be reintroduced to the rules committee, or its successor committee,
22 bypassing any policy and fiscal committees.

23 (3) That chamber of the legislature may vote on passage of the
24 bill. However, no floor amendments may be adopted.

25 (4) If the bill passes the first chamber, it shall be referred to
26 the rules committee, or its successor committee, of the opposite
27 chamber, bypassing any policy and fiscal committees. That chamber may
28 also vote on passage of the bill, and no floor amendments may be
29 adopted.

30 (5) If the bill is enacted, it shall become law and is not
31 subject to another referendum under this section.

32 (d) No act, law, or bill subject to referendum shall take effect
33 until ninety days after the adjournment of the session at which it
34 was enacted. No act, law, or bill approved by a majority of the
35 electors voting thereon shall be amended or repealed by the
36 legislature within a period of two years following such enactment:
37 Provided, That any such act, law, or bill may be amended within two
38 years after such enactment at any regular or special session of the
39 legislature by a vote of two-thirds of all the members elected to
40 each house with full compliance with section 12, Article III, of the

1 Washington Constitution, and no amendatory law adopted in accordance
2 with this provision shall be subject to referendum. But such
3 enactment may be amended or repealed at any general regular or
4 special election by direct vote of the people thereon.

5 ~~((d))~~ (e) The filing of a referendum petition against one or
6 more items, sections, or parts of any act, law, or bill shall not
7 delay the remainder of the measure from becoming operative.
8 Referendum petitions against measures passed by the legislature shall
9 be filed with the secretary of state not later than ninety days after
10 the final adjournment of the session of the legislature which passed
11 the measure on which the referendum is demanded. The veto power of
12 the governor shall not extend to measures initiated by or referred to
13 the people. All elections on measures referred to the people of the
14 state shall be had at the next succeeding regular general election
15 following the filing of the measure with the secretary of state,
16 except when the legislature shall order a special election. Any
17 measure initiated by the people or referred to the people as herein
18 provided shall take effect and become the law if it is approved by a
19 majority of the votes cast thereon: *Provided*, That the vote cast upon
20 such question or measure shall equal one-third of the total votes
21 cast at such election and not otherwise. Such measure shall be in
22 operation on and after the thirtieth day after the election at which
23 it is approved. The style of all bills proposed by initiative
24 petition shall be: "Be it enacted by the people of the State of
25 Washington." This section shall not be construed to deprive any
26 member of the legislature of the right to introduce any measure. All
27 such petitions shall be filed with the secretary of state, who shall
28 be guided by the general laws in submitting the same to the people
29 until additional legislation shall especially provide therefor. This
30 section is self-executing, but legislation may be enacted especially
31 to facilitate its operation.

32 ~~((e))~~ (f) The legislature shall provide methods of publicity of
33 all laws or parts of laws, and amendments to the Constitution
34 referred to the people with arguments for and against the laws and
35 amendments so referred. The secretary of state shall send one copy of
36 the publication to each individual place of residence in the state
37 and shall make such additional distribution as he shall determine
38 necessary to reasonably assure that each voter will have an
39 opportunity to study the measures prior to election.

1 BE IT FURTHER RESOLVED, That the secretary of state shall cause
2 notice of this constitutional amendment to be published at least four
3 times during the four weeks next preceding the election in every
4 legal newspaper in the state.

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