

HOUSE BILL REPORT

HB 1827

*As Reported By House Committee on:
Local Government*

Title: An act relating to local government bond and tax levy elections.

Brief Description: Limiting the time for actions to be brought challenging elections.

Sponsor(s): Representative Haugen.

Brief History:

Reported by House Committee on:
Local Government, March 6, 1991, DPS.

**HOUSE COMMITTEE ON
LOCAL GOVERNMENT**

Majority Report: *That Substitute House Bill No. 1827 be substituted therefor, and the substitute bill do pass.*
Signed by 15 members: Representatives Haugen, Chair; Cooper, Vice Chair; Ferguson, Ranking Minority Member; Mitchell, Assistant Ranking Minority Member; Bray; Edmondson; Franklin; Horn; Nealey; Nelson; Rayburn; Roland; Wood; Wynne; and Zellinsky.

Staff: Bill Lynch (786-7092).

Background: If a court finds that a candidate or a political committee violated the law concerning campaign financing, reporting financial affairs, public records, or political advertising, and the violation probably affected the outcome of the election, then the result of the election may be held void. Any action to void an election on this basis must be brought within one year of the date of the election.

Concerns have been raised that the possibility of an election being voided will adversely impact the ability of local governments to sell bonds. There is no specific time limit in statute for challenging an election authorizing the issuance of bonds or a tax levy.

Summary of Substitute Bill: An action to void an election authorizing the issuance of bonds or the levy of taxes must

be brought within 180 days after the results of the election have been certified.

Substitute Bill Compared to Original Bill: The amount of time in which an action must be brought to void an election involving a bond issuance or tax levy is changed from 30 days to 180 days.

Fiscal Note: Not requested.

Effective Date of Substitute Bill: Ninety days after adjournment of session in which bill is passed.

Testimony For: The one year time period in which elections can be challenged make bond counsels reluctant to issue bonds even when they have been authorized by the voters. Local governments are therefore unable to take advantage of federal tax laws.

Testimony Against: A 30 day time period to challenge an election is much too short. There have been no instances when a violation of a political committee affected the outcome of an election.

Witnesses: (Pro): Stan Finkelstein, Association of Washington Cities. (Con): Graham Johnson, Public Disclosure Commission.