
SUBSTITUTE SENATE BILL 5135

State of Washington

53rd Legislature

1993 Regular Session

By Senate Committee on Government Operations (originally sponsored by Senators Talmadge and McCaslin)

Read first time 02/10/93.

1 AN ACT Relating to state and local initiative and referendum ballot
2 titles; amending RCW 29.27.060, 29.79.040, 29.79.110, 29.27.065,
3 29.27.067, and 35A.29.120; adding a new section to chapter 29.79 RCW;
4 and repealing RCW 35.17.320.

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

6 NEW SECTION. **Sec. 1.** A new section is added to chapter 29.79 RCW
7 to read as follows:

8 (1) Except as provided to the contrary in RCW 82.14.036, 82.46.021,
9 or 82.80.090, the ballot title of any referendum filed on an enactment
10 or portion of an enactment of the state legislature or of the
11 legislative authority of a unit of local government shall be composed
12 of three elements: (a) An identification of the enacting legislative
13 body; (b) a concise statement identifying the essential features of the
14 enactment on which the referendum is filed; and (c) a question asking
15 the voters whether the enactment should be approved or rejected by the
16 people. The ballot issue shall be displayed on the ballot
17 substantially as follows:

1 Referendum Measure No. XX. The (name of legislative body) has passed
2 a law that (concise statement). Should this law be

3 APPROVED

4 OR

5 REJECTED

6 (2) For a referendum measure on a state enactment, the concise
7 statement shall be prepared by the attorney general and shall not
8 exceed twenty-five words.

9 (3) The concise statement for a referendum measure on an enactment
10 of the legislative authority of a unit of local government shall not
11 exceed seventy-five words. If the local governmental unit is a city or
12 a town, the concise statement shall be prepared by the city or town
13 attorney. If the local governmental unit is a county, the concise
14 statement shall be prepared by the prosecuting attorney of the county.
15 If the unit is a unit of local government other than a city, town, or
16 county, the concise statement shall be prepared by the prosecuting
17 attorney of the county within which the majority area of the unit is
18 located.

19 (4) A referendum measure on the enactment of a unit of local
20 government shall be advertised in the manner provided for nominees for
21 elective office.

22 **Sec. 2.** RCW 29.27.060 and 1985 c 252 s 1 are each amended to read
23 as follows:

24 (1) When a proposed constitution or constitutional amendment or
25 other question is to be submitted to the people of the state for state-
26 wide popular vote, the attorney general shall prepare a concise
27 statement posed as a question and not exceeding twenty words containing
28 the essential features thereof expressed in such a manner as to clearly
29 identify the proposition to be voted upon.

30 Questions to be submitted to the people of a county or municipality
31 shall also be advertised as provided for nominees for office, and in
32 such cases there shall also be printed on the ballot a concise
33 statement posed as a question and not exceeding seventy-five words
34 containing the essential features thereof expressed in such a manner as
35 to clearly identify the proposition to be voted upon, which statement
36 shall be prepared by the city or town attorney for the city or town,
37 and by the prosecuting attorney for the county or any other (~~political~~
38 ~~subdivision of the state~~) unit of local government, other than

1 ((cities)) a city or town, the majority area of which is situated in
2 the county.

3 The concise statement constitutes the ballot title.

4 (2) The secretary of state shall certify to the county auditors the
5 ballot title for a proposed constitution, constitutional amendment or
6 other state-wide question at the same time and in the same manner as
7 the ballot titles to initiatives and referendums.

8 (3) Subsection (1) of this section does not apply to referendum
9 measures filed on an enactment of the state legislature or on an
10 enactment of the legislative authority of a unit of local government,
11 nor does it apply to the extent that other provisions of state law
12 provide otherwise for a specific type of ballot question or
13 proposition.

14 **Sec. 3.** RCW 29.79.040 and 1982 c 116 s 4 are each amended to read
15 as follows:

16 Within seven calendar days after the receipt of an initiative or
17 referendum measure the attorney general shall formulate and transmit to
18 the secretary of state ((a)) the concise statement ((posed as a
19 question and not to exceed twenty words,)) required by RCW 29.27.060 or
20 section 1 of this act bearing the serial number of the measure and a
21 summary of the measure, not to exceed seventy-five words, to follow the
22 statement. The statement may be distinct from the legislative title of
23 the measure, and shall give a true and impartial statement of the
24 purpose of the measure. Neither the statement nor the summary may
25 intentionally be an argument, nor likely to create prejudice, either
26 for or against the measure. Except as provided for in section 1 of
27 this act, such a concise statement shall constitute the ballot title.
28 The ballot title or, for a referendum on a state enactment, the concise
29 statement formulated by the attorney general shall be the ballot title
30 of or concise statement describing the measure unless changed on
31 appeal. When practicable, the question posed by the ballot title shall
32 be written in such a way that an affirmative answer to such question
33 and an affirmative vote on the measure would result in a change in then
34 current law, and a negative answer to the question and a negative vote
35 on the measure would result in no change to then current law.

36 **Sec. 4.** RCW 29.79.110 and 1982 c 116 s 11 are each amended to read
37 as follows:

