
HOUSE BILL 2405

State of Washington

61st Legislature

2010 Regular Session

By Representatives Kelley, Green, and Hasegawa

Prefiled 12/07/09. Read first time 01/11/10. Referred to Committee on State Government & Tribal Affairs.

1 AN ACT Relating to local measures' ballot title appeals; and
2 amending RCW 29A.36.090.

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

4 **Sec. 1.** RCW 29A.36.090 and 2003 c 111 s 909 are each amended to
5 read as follows:

6 If any persons are dissatisfied with the ballot title for a local
7 ballot measure that was formulated by the city attorney or prosecuting
8 attorney preparing the same, they may at any time within ten days from
9 the ~~((time of the filing of the ballot title))~~ deadline for filing
10 ballot measures, not including Saturdays, Sundays, and legal holidays,
11 appeal to the superior court of the county where the question is to
12 appear on the ballot, by petition setting forth the measure, the ballot
13 title objected to, their objections to it, and praying for amendment of
14 it. ~~((The time of the filing of the ballot title, as used in this~~
15 ~~section in determining the time for appeal, is the time the ballot~~
16 ~~title is first filed with the county auditor.))~~

17 A copy of the petition on appeal together with a notice that an
18 appeal has been taken shall be served upon the county auditor and the
19 official preparing the ballot title. Upon the filing of the petition

1 on appeal, the court shall immediately, or at the time to which a
2 hearing may be adjourned by consent of the appellants, examine the
3 proposed measure, the ballot title filed, and the objections to it and
4 may hear arguments on it, and shall as soon as possible render its
5 decision and certify to and file with the county auditor a ballot title
6 that it determines will meet the requirements of this chapter. The
7 decision of the superior court is final, and the ballot title or
8 statement so certified will be the established ballot title. The
9 appeal must be heard without cost to either party.

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