
HOUSE BILL 2428

State of Washington

65th Legislature

2018 Regular Session

By Representatives Hudgins and Bergquist

Read first time 01/09/18. Referred to Committee on State Govt,
Elections & IT.

1 AN ACT Relating to providing for taxpayer protection by reducing
2 costs in ballot production; amending RCW 29A.32.070, 29A.72.290, and
3 43.135.041; and creating a new section.

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

5 NEW SECTION. **Sec. 1.** The legislature finds that the costs of
6 conducting state and local elections places a substantial financial
7 burden on local governments, which is passed on to the taxpayers. The
8 legislature further finds that the preparation, production,
9 distribution, and canvassing of election ballots is a significant
10 cost in election administration. Therefore, the legislature intends
11 to improve the efficiency and cost-effectiveness of ballot production
12 in order to reduce the burden of election costs on state and local
13 taxpayers.

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

16 The secretary of state shall determine the format and layout of
17 the voters' pamphlet published under RCW 29A.32.010. The secretary of
18 state shall print the pamphlet in clear, readable type on a size,
19 quality, and weight of paper that in the judgment of the secretary of
20 state best serves the voters. The pamphlet must contain a table of

1 contents. Measures and arguments must be printed in the order
2 specified by RCW 29A.72.290.

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

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

12 (1) The legal identification of the measure by serial designation
13 or number;

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

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

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

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

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

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

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

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

31 (10) The full text of the measure;

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

1 they can provide information to, and answer questions from, the
2 public. The voters' pamphlet must include notice and instructions for
3 using any alternative electronic voting method authorized in each
4 county, pursuant to RCW 29A.72.290(3). For the purposes of this
5 subsection, "names of legislators, and their contact information"
6 includes each legislator's position (senator or representative),
7 first name, last name, party affiliation (for example, Democrat or
8 Republican), city or town they live in, office phone number, and
9 office email address.

10 **Sec. 3.** RCW 29A.72.290 and 2013 c 11 s 76 are each amended to
11 read as follows:

12 (1) Subject to subsection (2) of this section, the county auditor
13 of each county shall print on the official ballots for the election
14 at which initiative and referendum measures and measures for an
15 advisory vote of the people are to be submitted to the people for
16 their approval or rejection, the serial numbers and ballot titles
17 certified by the secretary of state and the serial numbers and short
18 descriptions of measures for an advisory vote of the people. They
19 must appear under separate headings in the order of the serial
20 numbers as follows:

- 21 ~~((1))~~ (a) Initiatives to the people;
22 ~~((2))~~ (b) Referendum measures;
23 ~~((3))~~ (c) Referendum bills;
24 ~~((4))~~ (d) Initiatives to the legislature;
25 ~~((5))~~ (e) Initiatives to the legislature and legislative
26 alternatives;
27 ~~((6))~~ (f) Advisory votes;
28 ~~((7))~~ (g) Proposed constitutional amendments.

29 (2) If the county auditor determines that inclusion of a measure
30 for an advisory vote may compromise the efficient use of ballot space
31 and election resources, the auditor may decide to change the order of
32 the advisory vote on the ballot by printing it at the end of the
33 ballot or other location, or to remove the advisory vote from the
34 ballot.

35 (3) If the measure for an advisory vote is removed from the
36 ballot the county auditor must provide an alternative electronic
37 voting method that is accessible on the county auditor's web site and
38 at the county election office during the election. The county auditor

1 must include notice on the official ballot if an alternative
2 electronic voting method is being used for an advisory vote.

3 (4) The alternative electronic voting method authorized in
4 subsection (3) of this section must:

5 (a) Be made available during the same period as the general
6 election, though is not required to follow the specific requirements
7 for voting systems or canvassing under this chapter;

8 (b) Preserve the secrecy of the vote;

9 (c) Require each voter to attest that he or she is a qualified
10 registered voter of the state before submitting a vote on the
11 measure; and

12 (d) Use the same description and format for the measure as
13 required under RCW 29A.72.283.

14 (5) The secretary of state may make rules to govern the
15 procedures and implementation of alternative electronic voting
16 methods authorized in this section.

17 **Sec. 4.** RCW 43.135.041 and 2013 c 1 s 6 are each amended to read
18 as follows:

19 (1)(a) After July 1, 2011, if legislative action raising taxes as
20 defined by RCW 43.135.034 is blocked from a public vote or is not
21 referred to the people by a referendum petition found to be
22 sufficient under RCW 29A.72.250, a measure for an advisory vote of
23 the people is required (~~(and shall be placed on)~~) for the next
24 general election (~~(ballot under this chapter)~~), either on the
25 official election ballot or otherwise in a manner consistent with RCW
26 29A.72.290.

27 (b) If legislative action raising taxes enacted after July 1,
28 2011, involves more than one revenue source, each tax being increased
29 shall be subject to a separate measure for an advisory vote of the
30 people under the requirements of this chapter.

31 (2) No later than the first of August, the attorney general will
32 send written notice to the secretary of state of any tax increase
33 that is subject to an advisory vote of the people, under the
34 provisions and exceptions provided by this chapter. Within five days
35 of receiving such written notice from the attorney general, the
36 secretary of state will assign a serial number for a measure for an
37 advisory vote of the people and transmit one copy of the measure
38 bearing its serial number to the attorney general as required by RCW
39 29A.72.040, for any tax increase identified by the attorney general

1 as needing an advisory vote of the people for that year's general
2 election ((~~ballot~~)). Saturdays, Sundays, and legal holidays are not
3 counted in calculating the time limits in this subsection.

4 (3) For the purposes of this section, "blocked from a public
5 vote" includes adding an emergency clause to a bill increasing taxes,
6 bonding or contractually obligating taxes, or otherwise preventing a
7 referendum on a bill increasing taxes.

8 (4) If legislative action raising taxes is referred to the people
9 by the legislature or is included in an initiative to the people
10 found to be sufficient under RCW 29A.72.250, then the tax increase is
11 exempt from an advisory vote of the people under this chapter.

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