H-3482.1

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**HOUSE BILL 2333**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**State of Washington 66th Legislature 2020 Regular Session**

**By** Representatives Kraft and Van Werven

AN ACT Relating to advisory vote descriptions in the voters' pamphlet; and amending RCW 29A.72.283 and 43.135.031.

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

**Sec.**  RCW 29A.72.283 and 2008 c 1 s 8 are each amended to read as follows:

(1) Within five days of receipt of a measure for an advisory vote of the people from the secretary of state under RCW 29A.72.040, the attorney general shall formulate a short description, not exceeding ((~~thirty-three~~)) seventy-five words ((~~and not subject to appeal~~)), of each tax increase and any tax preference that is created or modified in the same bill, and shall transmit a certified copy of such short description meeting the requirements of this section, in writing, to the ((~~secretary of state~~)) legislature as described in subsection (3) of this section.

(2) The description must ((~~be formulated and displayed on the ballot substantially as follows~~)) include the following:

(a) "The legislature imposed, without a vote of the people, (identification of tax, including the title of the bill, and description of increase and associated preferences, if any), costing (and saving) (most up‑to‑date ten‑year cost and savings projections, expressed in dollars and rounded to the nearest million, as determined under RCW 43.135.031) in its first ten years, for government spending. This tax increase (and associated preferences) should be:

|  |  |
| --- | --- |
| Repealed  | [ ] |
| Maintained  | [ ]" |

((~~Saturdays, Sundays, and legal holidays are not counted in calculating the time limits in this section.~~)) The words "This tax increase (and associated preferences) should be: Repealed . . . [ ] Maintained . . . [ ]" are not counted in the ((~~thirty-three~~)) word limit for a short description under this section; and

(b) A brief description of any changes made to the bill title or revenue language in the bill after the bill was introduced but before it was enacted by the legislature.

(3) Upon the legislature's receipt of the certified copy of the short description, the short description must be forwarded for review to both the majority and minority leaders of both the senate and the house of representatives and to both the majority and minority caucus chairs of both the senate and the house of representatives. Within five days of the legislature's receipt of the short description, the legislators listed in this subsection shall express approval or disapproval of the short description in writing to the attorney general. If there is any disapproval, the attorney general must reformulate and resubmit the short description to the legislature within three days. This review process shall repeat until each of the legislators listed in this subsection has expressed approval. At that point, the attorney general shall transmit a certified copy of the short description to the secretary of state and certified copies to the majority and minority leaders of both the senate and the house of representatives.

(4) For purposes of subsection (3) of this section, a legislator's failure to express approval or disapproval in writing within the five-day period is treated as disapproval, unless the failure is attributed to a vacancy in the position or an inability of the legislator to discharge the powers and duties of the office. In such cases, that legislator's written approval is not required.

(5) Saturdays, Sundays, and legal holidays are not counted in calculating the time limits in this section.

(6) For purposes of this section, "tax preference" means the same as in RCW 43.136.021.

**Sec.**  RCW 43.135.031 and 2013 c 1 s 5 are each amended to read as follows:

(1) For any bill introduced in either the house of representatives or the senate that raises taxes as defined by RCW 43.135.034 or increases fees, the office of financial management must expeditiously determine its cost to the taxpayers in its first ten years of imposition((~~,~~)). If the bill raises taxes or increases fees but also creates or modifies tax preferences, as defined in RCW 43.136.021, or decreases fees, the office of financial management must determine its savings to the taxpayers in its first ten years of imposition. The cost and savings of the bill must be separately displayed. The office of financial management must promptly and without delay report the results of its analysis by public press release via email to each member of the house of representatives, each member of the senate, the news media, and the public, and must post and maintain these releases on its web site. Any ten‑year cost and savings projections must include a year‑by‑year breakdown. For any bill containing more than one revenue source or tax preference, a ten‑year cost or savings projection for each revenue source or tax preference will be included along with the bill's total ten‑year cost and savings projections. The press release shall include the names of the legislators, and their contact information, who are sponsors and cosponsors of the bill so they can provide information to, and answer questions from, the public.

(2) Any time any legislative committee schedules a public hearing on a bill that raises taxes as defined by RCW 43.135.034 or increases fees, the office of financial management must promptly and without delay report the results of its most up‑to‑date analysis of the bill required by subsection (1) of this section and the date, time, and location of the hearing by public press release via email to each member of the house of representatives, each member of the senate, the news media, and the public, and must post and maintain these releases on its web site. The press release required by this subsection must include all the information required by subsection (1) of this section and the names of the legislators, and their contact information, who are members of the legislative committee conducting the hearing so they can provide information to, and answer questions from, the public.

(3) Each time a bill that raises taxes as defined by RCW 43.135.034 or increases fees is approved by any legislative committee or by at least a simple majority in either the house of representatives or the senate, the office of financial management must expeditiously reexamine and redetermine its ten‑year cost and savings projections due to amendment or other changes during the legislative process, and must promptly and without delay report the results of its most up‑to‑date analysis by public press release via email to each member of the house of representatives, each member of the senate, the news media, and the public, and must post and maintain these releases on its web site. Any ten‑year cost and savings projections must include a year‑by‑year breakdown that separately displays the cost and savings. For any bill containing more than one revenue source or tax preference, a ten‑year cost or savings projection for each revenue source or tax preference will be included along with the bill's total ten‑year cost and savings projections. The press release shall include the names of the legislators, and their contact information, and how they voted on the bill so they can provide information to, and answer questions from, the public.

(4) For the purposes of this section, "names of legislators, and their contact information" includes each legislator's position (senator or representative), first name, last name, party affiliation (for example, Democrat or Republican), city or town they live in, office phone number, and office email address.

(5) For the purposes of this section, "news media" means any member of the press or media organization, including newspapers, radio, and television, that signs up with the office of financial management to receive the public press releases by email.

(6) For the purposes of this section, "the public" means any person, group, or organization that signs up with the office of financial management to receive the public press releases by email.

**--- END ---**