
**State Government & Tribal Relations
Committee**

SB 5224

Brief Description: Concerning advisory votes.

Sponsors: Senators Kuderer, Hunt, Takko, Keiser, Nguyen, Darneille, Das, Wellman, Saldaña, McCoy, Hasegawa and Pedersen.

Brief Summary of Bill

- Repeals provisions that require legislative tax increases to be subject to an advisory vote in which voters at the next general election may express a preference for the tax increases to be repealed or maintained.
- Removes the requirement that the voters' pamphlet contain information about advisory votes or initiative and referendum measures.

Hearing Date: 3/11/19

Staff: Jason Zolle (786-7124).

Background:

Referenda on Legislative Tax Increases. As with other bills, the Legislature may submit a tax increase to the people as a referendum bill for their rejection or approval. Because tax increases support the state by generating revenue, however, Washington citizens cannot seek a referendum to reject a tax increase passed with an emergency clause.

When a tax increase results in expenditures above the state expenditure limit, the tax increase may not take effect until it is approved in a referendum at the next general election in November. This automatic-referendum provision has never been used. (In 2015 the state expenditure limit was suspended until 2021).

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Advisory Votes on Legislative Tax Increases. Initiative 960, which was approved in 2008, created a process for Washington citizens to participate in an advisory vote on whether a legislative tax increase should be repealed or maintained. The advisory vote occurs at the next general election. An advisory vote is not held, however, if the tax increase is referred to the people as a referendum, or is included in a people's initiative.

This advisory vote requirement was suspended from 2010 to 2011.

Voters' Pamphlets. The Office of the Secretary of State (OSOS) is required to print a voters' pamphlet whenever at least one statewide measure or office is scheduled to appear on the general election ballot. The pamphlet must contain:

- information about initiatives or referenda submitted for the voters' approval or rejection;
- information about measures submitted for advisory vote;
- statements and photographs of candidates for federal offices, many state offices, and appellate or superior court judges;
- contact information for the Public Disclosure Commission and a statement that its website contains information about donors;
- contact information for the major political parties; and
- any additional election information that the OSOS deems required by law or informative to voters.

With respect to advisory votes, the voters' pamphlet must contain:

- a short description of the tax increase, formulated by the Office of the Attorney General;
- the 10-year cost projection for the tax, including a year-by-year breakdown, as determined by the Office of Financial Management; and
- the names of state legislators and how they voted on the legislation.

The OSOS must distribute the pamphlet to each household in the state, to public libraries, and to other locations that the OSOS deems appropriate. The OSOS may make the pamphlet available in electronic form as well.

Summary of Bill:

The requirement that legislation that increases taxes be referred to the people for an advisory vote at the next general election is repealed. Provisions related to advisory votes are repealed or removed from the code.

The voters' pamphlet no longer needs to contain information about advisory votes. The voters' pamphlet also no longer needs to contain information about initiative or referendum measures.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.