
HOUSE BILL 2297

State of Washington

66th Legislature

2020 Regular Session

By Representative MacEwen

Prefiled 01/07/20. Read first time 01/13/20. Referred to Committee on State Government & Tribal Relations.

1 AN ACT Relating to resolving ballot disputes before an election;
2 and amending RCW 29A.72.080.

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

4 **Sec. 1.** RCW 29A.72.080 and 2013 c 11 s 73 are each amended to
5 read as follows:

6 (1) Any persons, including the attorney general or either or both
7 houses of the legislature, dissatisfied with the ballot title or
8 summary for a state initiative or referendum may, within five days
9 from the filing of the ballot title in the office of the secretary of
10 state, appeal to the superior court of Thurston county by petition
11 setting forth the measure, the ballot title or summary, and their
12 objections to the ballot title or summary and requesting amendment of
13 the ballot title or summary by the court. Saturdays, Sundays, and
14 legal holidays are not counted in calculating the time limits
15 contained in this section.

16 (2) A copy of the petition on appeal together with a notice that
17 an appeal has been taken shall be served upon the secretary of state,
18 upon the attorney general, and upon the person proposing the measure
19 if the appeal is initiated by someone other than that person. Upon
20 the filing of the petition on appeal or at the time to which the
21 hearing may be adjourned by consent of the appellant, the court shall

1 accord first priority to examining the proposed measure, the ballot
2 title or summary, and the objections to that ballot title or summary,
3 may hear arguments, and shall, within five days, render its decision
4 and file with the secretary of state a certified copy of such ballot
5 title or summary as it determines will meet the requirements of RCW
6 29A.72.060. The decision of the superior court shall be final. Such
7 appeal shall be heard without costs to either party.

8 (3) No court has jurisdiction to adjudicate any challenge to a
9 ballot title or summary for a state initiative or referendum:

10 (a) After the time to file a petition under subsection (1) of
11 this section has expired without a petition being filed; or

12 (b) If a petition is timely filed, after the superior court has
13 rendered its decision under subsection (2) of this section.

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