

FINAL BILL REPORT

ESSB 5082

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Synopsis as Enacted

Brief Description: Encouraging electoral participation and making ballots more meaningful by abolishing advisory votes.

Sponsors: Senate Committee on State Government & Elections (originally sponsored by Senators Kuderer, Hunt, Conway, Dhingra, Frame, Hasegawa, Nguyen, Nobles, Pedersen, Rolfes, Valdez, Van De Wege, Wellman and Wilson, C.).

Senate Committee on State Government & Elections

Senate Committee on Ways & Means

House Committee on State Government & Tribal Relations

Background: Advisory Votes. Advisory votes were established in 2008 with the enactment of Initiative 960. Through an advisory vote, voters advise the Legislature whether to repeal or maintain a tax increase enacted by the Legislature. The results of advisory votes are nonbinding and do not result in a change to the law.

A measure for an advisory vote by the people must be placed on the next general election ballot if a legislative bill raising taxes is not referred to the voters or contains an emergency clause, bonds or contractually obligates taxes, or otherwise prevents a referendum. If the bill involves multiple revenue sources, each is subject to a separate advisory vote.

Voters' Pamphlet. The Secretary of State must print and distribute a voters' pamphlet to each household in the state, public libraries, and other locations the Secretary of State deems appropriate whenever a statewide ballot measure or office, including an advisory vote, is scheduled to appear on the general election ballot. For advisory votes, the voters' pamphlet must include:

- the measure's short description;
- a ten-year cost projection of the measure by the Office of Financial Management (OFM), including an annual breakdown;
- the names and office contact information of legislators; and
- how legislators voted on the tax increase legislation.

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

For each initiative and referendum on the ballot, OFM, in consultation with the Secretary of State and Attorney General, must prepare a fiscal impact statement describing any increase or decrease in state revenues, costs, expenditures, or indebtedness. The statement must include both a summary of up to 100 words and a more detailed statement of the assumptions made to develop the fiscal impacts.

Initiative 960 (I-960) Analyses. Under I-960, passed by the voters in 2007, OFM must produce a ten-year cost projection for each bill introduced in the Legislature which raises taxes or increases fees. Bills with multiple revenue sources must have a separate ten-year cost projection for each revenue source. OFM must report the results of this analysis by e-mailed press release to each member of the Legislature, the news media, and the public.

Summary: Advisory Votes. The requirement that advisory votes for tax increase legislation appear on the ballot at the subsequent general election is repealed.

Information on Budgets and Expenditures. The Legislative Evaluation and Accountability Program (LEAP), in conjunction with OFM, must create a website by August 15th of each year with the following information:

- summaries of each of the most recently adopted operating, transportation, and capital budgets and supplemental budgets;
- graphical depictions of budgeted expenditures by areas of government over the previous biennium;
- tables prepared by OFM comparing state and local expenditures with personal income over each of the preceding 20 years; and
- a list of bills for which I-960 analyses were prepared, links to the legislative website for each bill, and instructions on how to find the I-960 analyses.

Voters' Pamphlet. Information on advisory votes is not required to be printed in the voters' pamphlet. The voters' pamphlet must also include information about how to access the website created by LEAP and OFM with information about state budgets, including a web address, QR code, and phone number for the Legislative Information Center.

Votes on Final Passage:

Senate	30	18
House	54	43

Effective: July 23, 2023