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SENATE BILL 6563

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State of Washington

55th Legislature

1998 Regular Session

By Senators Heavey, West, Wojahn, Bauer, Roach, Fairley, Loveland, Schow, Haugen, Swecker, T. Sheldon and Kohl

Read first time 01/21/98. Referred to Committee on Government Operations.

1 AN ACT Relating to effective dates of bills; adding a new section  
2 to chapter 1.04 RCW; adding a new section to chapter 2.04 RCW; and  
3 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 power of  
6 referendum reserved to the people is of such paramount importance to  
7 our system of government that any legislative act abrogating that power  
8 must be subject to explicit justification by the legislature and  
9 immediate review by the judiciary.

10 NEW SECTION. **Sec. 2.** A new section is added to chapter 1.04 RCW  
11 to read as follows:

12 (1) Any bill passed by the legislature, all or any portion of which  
13 will take effect before the expiration of the standard ninety-day  
14 period specified in the state Constitution, shall state with  
15 specificity both the reason allowed under the Constitution for the  
16 early effective date and the facts that provide the basis for the  
17 constitutional exception to the standard ninety-day period.

1 (2) In any county or city having reserved to the people the power  
2 of referendum, any legislation passed by the legislative authority of  
3 that county or city, all or any portion of which is not subject to the  
4 power of referendum, shall state with specificity the facts that  
5 provide the basis for the conclusion by the legislative authority that  
6 the resolution must take effect immediately.

7 (3) Any legislative measure subject to subsection (1) or (2) of  
8 this section shall be subject to immediate review by the supreme court  
9 both as to the facts asserted and the conclusion drawn therefrom that  
10 such an emergency exists as to justify exempting the measure from  
11 referendum.

12 NEW SECTION. **Sec. 3.** A new section is added to chapter 2.04 RCW  
13 to read as follows:

14 The supreme court shall have and shall exercise original  
15 jurisdiction in and shall immediately review all actions and  
16 proceedings challenging the exemption of a legislative measure from the  
17 power of referendum.

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