

# HOUSE BILL ANALYSIS

## HB 2587

**Title:** AN ACT Relating to ballot titles.

**Brief Description:** Modifying ballot title laws.

**Sponsors:** Kagi, Lambert, Attorney General.

### BRIEF SUMMARY

- Revises requirements for ballot titles on state measures submitted to voters for their approval or rejection.
- Creates three distinct portions of ballot titles for state measures submitted to voters, consisting of a subject statement, concise description, and question whether the measure should be approved or rejected.

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### HOUSE STATE GOVERNMENT COMMITTEE

**STAFF:** Steve Lundin (786-7127)

#### BACKGROUND:

State law establishes ballot title requirements for various measures that are submitted to voters, including state initiatives and referenda, constitutional amendments, and local government ballot propositions.

The ballot title for a state initiative, referendum, or constitutional amendment includes a concise statement that is posed as a question not in excess of twenty-five words. However, the ballot title for a measure submitted to voters of a local government includes a concise statement that is posed as question not in excess of seventy-five words.

The attorney general prepares the ballot title, and a summary, of a state initiative or referendum within seven days after receiving the initiative or referendum. However, the legislature may prepare the ballot title for a referendum bill it submits to the voters. A person may challenge the ballot title or summary of a state initiative or referendum, that was prepared by the attorney general, within five days after the ballot title is filed with the secretary of state. No statutory provisions exist detailing how many days the attorney general has to prepare the ballot title and summary for a constitutional or other state ballot measure. The person "filing" a constitutional amendment may challenge the ballot title and summary for the constitutional

amendment, but no provisions exist for anyone else to challenge these matters.

**SUMMARY:**

Requirements for ballot titles on state measures are altered, but requirements for ballot titles on local government measures are not altered.

The ballot title of a state measure is divided into three distinct portions:

- A statement of the subject of the measure, that may not exceed five words;
- A concise description of the measure, that may not exceed 25 words for all measures other than a constitutional amendment and may not exceed 30 words for a constitutional amendment; and
- A question inquiring as to whether the measure should be approved or rejected.

The display of the ballot title is shown for the various types of state measures that may be placed on the ballot. The display example for an initiative to the people, or an initiative to the legislature that appears on the ballot, includes each of these three separate portions of the ballot title. However the display example for a constitutional amendment, referendum, or other state measure that appears on the ballot only includes the concise description and question, but does not include the statement of the subject.

The number of words in the concise description of a constitutional amendment is increased from 25 to 30 words.

Express language provides that the legislature may prepare the ballot title for a referendum bill. However, express language is not included that the legislature may prepare the ballot title on any other measures that it submits to voters or on constitutional amendments.

The attorney general is given five days, not including Saturdays, Sundays, or state-holidays, to prepare the ballot title for an initiative or referendum, rather than seven days to prepare the concise statement for an initiative or referendum.

Provisions for challenging ballot matters relating to state initiatives or referenda are altered. The summary of the measure prepared by the attorney general is no longer subject to challenge. The five-day period to challenge the ballot title prepared by the attorney general does not include Saturdays, Sundays, or legal- holidays.

**RULE MAKING AUTHORITY:** No express authority.

**APPROPRIATION:** None.

**FISCAL NOTE:** Not requested.

**EFFECTIVE DATE:** Ninety days after adjournment of the session in which the bill is enacted.