
SUBSTITUTE HOUSE BILL 2823

State of Washington

57th Legislature

2002 Regular Session

By House Committee on State Government (originally sponsored by Representatives McDermott, Romero, Schmidt, Upthegrove, Schual-Berke, McIntire and Kagi)

Read first time 02/08/2002. Referred to Committee on .

1 AN ACT Relating to providing voters with additional information on
2 fiscal impacts of initiatives; adding new sections to chapter 29.79
3 RCW; and declaring an emergency.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 29.79 RCW
6 to read as follows:

7 The legislature recognizes that through the initiative process,
8 voters play an increasing role in setting statewide legislative policy
9 and adopting new laws. In exercising this authority, voters in this
10 state deserve to have sufficient information to make educated
11 decisions. The Washington state supreme court recognized that a
12 significant number of voters make decisions on initiatives based merely
13 upon the information provided in the ballot. Therefore, the ballot
14 should provide voters with the information they need to evaluate the
15 impacts of their decision, just as the legislature educates its own
16 decisions through fiscal notes under chapter 43.88A RCW. The
17 legislature finds that the voters of the state have a particular
18 interest in understanding their decisions' impacts on existing
19 government services and programs. This is best accomplished by

1 preparing a fiscal impact statement and providing voters with a "notice
2 of probable impacts," which summarizes the fiscal impact statement and
3 shall be displayed on ballots directly beneath the ballot title.

4 NEW SECTION. **Sec. 2.** A new section is added to chapter 29.79 RCW
5 to read as follows:

6 The office of financial management, in consultation with the
7 secretary of state, the department of revenue, other state agencies,
8 selected local governments and associations of local governments, and
9 legislative fiscal staff, when appropriate, shall prepare a fiscal
10 impact statement for each initiative to the people certified for the
11 ballot under RCW 29.79.230. Each fiscal impact statement must describe
12 any projected increases or decreases in revenues, costs, expenditures,
13 or indebtedness that the state and local governments will experience if
14 the initiative is approved by voters. The fiscal impact statement must
15 include a detailed statement that includes the assumptions that were
16 made to develop the fiscal impacts. The fiscal impact statement must
17 be written in clear and concise language and avoid legal and technical
18 terms when possible, and may include easy to understand graphics.
19 Where appropriate, the fiscal impact statement may include both
20 estimated dollar amounts and a description placing the estimated dollar
21 amounts into context.

22 If a fiscal impact statement identifies a combined financial impact
23 of at least twenty-five million dollars on state and local governments,
24 the office of financial management must prepare a notice of probable
25 impacts to be placed on the ballot beneath the ballot title. The
26 notice of probable impacts must be no more than seventy-five words,
27 must be written in clear and concise language, avoiding legal and
28 technical terms when possible, and may include easy to understand
29 graphics. Where appropriate, the notice of probable impacts may
30 include both estimated dollar amounts and a description placing the
31 estimated dollar amounts into context.

32 The fiscal impact statement and the notice of probable impacts must
33 identify which programs, if any, will be eliminated because of a
34 decrease in revenues or increase in costs, expenditures, or
35 indebtedness. If the office of financial management cannot determine
36 which specific government services or programs will be impacted, the
37 fiscal impact statement and notice of probable impacts must list five

1 of the largest services or programs currently funded by the impacted
2 governments.

3 The office of financial management must file the notice of probable
4 impacts with the office of the secretary of state no later than thirty
5 days following certification of the initiative pursuant to RCW
6 29.79.230.

7 NEW SECTION. **Sec. 3.** A new section is added to chapter 29.79 RCW
8 to read as follows:

9 Once a notice of probable impacts is filed with the secretary of
10 state, the secretary of state shall immediately provide the text of the
11 notice of probable impacts to the person proposing the initiative and
12 any others who have made written request for notification of the exact
13 language of the notice.

14 A person dissatisfied with the notice of probable impacts may
15 appeal to the superior court of Thurston County within five days of the
16 filing date. A copy of the petition and a notice of the appeal must be
17 served on the secretary of state and the attorney general. The court
18 shall examine the measure, the notice of probable impacts, the fiscal
19 impact statement, and objections, and may hear arguments. The court
20 shall render its decision and certify to and file with the secretary of
21 state a notice of probable impacts it determines will be sufficient.

22 The decision of the superior court is final, and its notice of
23 probable impacts is the established notice of probable impacts. The
24 appeal must be heard without costs to either party.

25 NEW SECTION. **Sec. 4.** A new section is added to chapter 29.79 RCW
26 to read as follows:

27 The notice of probable impacts shall appear on all ballots directly
28 beneath the ballot title. Above the notice must be a heading in
29 capital letters, stating "NOTICE OF PROBABLE IMPACTS OF INITIATIVE."

30 NEW SECTION. **Sec. 5.** This act is necessary for the immediate
31 preservation of the public peace, health, or safety, or support of the
32 state government and its existing public institutions, and takes effect
33 immediately.

--- END ---