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HOUSE BILL 2823

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State of Washington                      57th Legislature                      2002 Regular Session  
By Representatives McDermott, Romero, Schmidt, Upthegrove,  
Schual-Berke, McIntire and Kagi

Read first time 01/29/2002. Referred to Committee on State Government.

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

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 providing voters with a "notice of probable impacts," which will be  
2 displayed on ballots directly beneath the ballot title.

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

5 The office of financial management shall, in cooperation with the  
6 secretary of state and appropriate legislative committees and  
7 legislative staff, establish a procedure for preparing a notice of  
8 probable impacts for initiatives that will be presented to voters  
9 beneath the ballot title. The notice is required only when the  
10 initiative is anticipated to result in reduction in state or local  
11 government services or programs due to reduced revenues or due to the  
12 initiative's requirement of new state or local government services or  
13 programs for which the initiative provides insufficient new revenue.  
14 The notice will be prepared after the secretary of state has certified  
15 that sufficient signatures have been submitted to qualify the  
16 initiative for the ballot. After certifying an initiative that meets  
17 the requirements of a notice of probable impacts in this section, the  
18 secretary of state shall transmit a copy of the initiative to the  
19 director of financial management or the director's designee for the  
20 preparation of a notice of probable impacts.

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

23 The notice of probable impacts may be no more than one hundred  
24 words in length, excluding the heading. The notice must summarize the  
25 probable impact of an initiative on existing state and local government  
26 services and programs resulting from the initiative's reduction in  
27 statewide or local revenue or due to the initiative's requirement of  
28 new state or local government services or programs for which  
29 insufficient new revenue is provided. The notice must be written in  
30 plain language to be understood by the average voter, and must list the  
31 existing government programs and services that are likely to be  
32 impacted, and the magnitude of the impacts. The notice must identify  
33 which programs will be eliminated, if any. Where it cannot be  
34 determined which specific government services or programs will be  
35 impacted, the notice must identify the magnitude of the anticipated  
36 reduction in government services or programs as a dollar amount, and

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

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

5 The director of financial management or the director's designee  
6 shall file the notice of probable impacts with the secretary of state.  
7 Upon the filing, the secretary of state shall promptly distribute it  
8 under the procedures established by RCW 29.79.050 for distribution of  
9 initiative ballot titles.

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

12 Any person, including the attorney general or either or both houses  
13 of the legislature, dissatisfied with the notice of probable impacts  
14 may, within five days from the filing of the notice in the office of  
15 the secretary of state, appeal to the superior court of Thurston County  
16 by petition setting forth the initiative, the notice of probable  
17 impacts, and the objection to it, and requesting amendment of the  
18 notice by the court. Saturdays, Sundays, and legal holidays are not  
19 counted in calculating the time limits. The distribution of the  
20 petition and the court's responsibilities are the same as set forth in  
21 RCW 29.79.060 for appeals of ballot titles.

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

24 When the notice of probable impacts is finally established, the  
25 secretary of state shall ensure that it will appear on all ballots  
26 directly beneath the ballot title. Above the notice must be a heading  
27 in capital letters, stating "NOTICE TO VOTERS OF PROBABLE IMPACTS OF  
28 INITIATIVE."

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