

---

HOUSE BILL 1458

---

State of Washington

61st Legislature

2009 Regular Session

By Representatives Bailey, O'Brien, Alexander, Haigh, Haler, Johnson, Chandler, Kristiansen, Ericksen, Shea, Short, Orcutt, Warnick, Kretz, Hinkle, Parker, Dammeier, Condotta, and Kelley

Read first time 01/21/09. Referred to Committee on Ways & Means.

1 AN ACT Relating to fiscal notes; amending RCW 43.88A.010,  
2 43.88A.030, and 43.132.060; adding a new section to chapter 43.88A RCW;  
3 adding a new section to chapter 43.132 RCW; and repealing RCW  
4 43.88A.900.

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

6 **Sec. 1.** RCW 43.88A.010 and 1977 ex.s. c 25 s 1 are each amended to  
7 read as follows:

8 The legislature hereby recognizes the necessity of developing a  
9 uniform and coordinated procedure for determining the expected fiscal  
10 impact of bills and resolutions on state government and of placing that  
11 information before the legislature before those bills and resolutions  
12 are heard and voted upon. The legislature also recognizes that  
13 developing such statements of fiscal impact, which shall be known as  
14 fiscal notes, requires the designation of a state agency to be  
15 principally responsible therefor.

16 **Sec. 2.** RCW 43.88A.030 and 2008 c 1 s 4 (Initiative Measure No.  
17 960) are each amended to read as follows:

18 When a fiscal note is prepared and approved as to form, accuracy,

1 and completeness by the office of financial management, which depicts  
2 the expected fiscal impact of a bill or resolution, copies shall be  
3 filed immediately with:

4 (1) The chairperson of the committee to which the bill or  
5 resolution was referred upon introduction in the house of origin;

6 (2) The senate committee on ways and means, or its successor; and

7 (3) The house committees on revenue and appropriations, or their  
8 successors.

9 (~~Whenever possible, such~~) Fiscal notes and, in the case of a bill  
10 increasing taxes or fees, the cost projection and other information  
11 required under RCW 43.135.031 shall be provided prior to or at the time  
12 the bill or resolution is first heard by the committee of reference in  
13 the house of origin.

14 When a fiscal note has been prepared for a bill or resolution, a  
15 copy of the fiscal note shall be placed in the bill books or otherwise  
16 attached to the bill or resolution and shall remain with the bill or  
17 resolution throughout the legislative process (~~insofar as possible~~).  
18 For bills increasing taxes or fees, the cost projection and other  
19 information required by RCW 43.135.031 shall be placed in the bill  
20 books or otherwise attached to the bill or resolution and shall remain  
21 with the bill or resolution throughout the legislative process insofar  
22 as possible.

23 NEW SECTION. Sec. 3. A new section is added to chapter 43.88A RCW  
24 to read as follows:

25 (1) Before either house of the legislature may vote on final  
26 passage on a bill that if enacted into law would increase state  
27 government expenditures or would increase or decrease state government  
28 revenues, a fiscal note prepared pursuant to RCW 43.88A.020 must be  
29 available on the most recent version of the bill that applies to the  
30 bill as it is to be voted upon. In no case shall the fiscal note be  
31 made available more than seventy-two hours after the bill is placed on  
32 final passage.

33 (2) The requirement in subsection (1) of this section may be  
34 suspended by the applicable house of the legislature with a vote of  
35 sixty percent of the members elected to that house.

36 (3) In no case may the lack of any fiscal note as provided in this

1 chapter or any error in the accuracy of such a fiscal note affect the  
2 validity of any measure otherwise duly passed by the legislature.

3 NEW SECTION. **Sec. 4.** A new section is added to chapter 43.132 RCW  
4 to read as follows:

5 (1) Before either house of the legislature may vote on final  
6 passage on a bill that if enacted into law would increase local  
7 government expenditures or would increase or decrease local government  
8 revenues, a fiscal note prepared pursuant to RCW 43.132.020 must be  
9 available that applies to the bill as it is to be voted upon.

10 (2) The requirement in subsection (1) of this section may be  
11 suspended by the applicable house of the legislature with a vote of  
12 sixty percent of the members elected to that house.

13 (3) In no case shall the fiscal note be made available more than  
14 seventy-two hours after the bill is placed on final passage.

15 **Sec. 5.** RCW 43.132.060 and 2000 c 182 s 4 are each amended to read  
16 as follows:

17 (1) (~~Nothing in this chapter shall prevent either house of the~~  
18 ~~legislature from acting on any bill or resolution before it as~~  
19 ~~otherwise provided by the state Constitution, by law, and by the rules~~  
20 ~~of the senate and house of representatives, nor shall~~) In no case may  
21 the lack of any fiscal note as provided in this chapter or any error in  
22 the accuracy (~~thereof~~) of such a fiscal note affect the validity of  
23 any measure otherwise duly passed by the legislature.

24 (2) Subsection (1) of this section shall not alter the  
25 responsibilities of RCW 43.135.060.

26 NEW SECTION. **Sec. 6.** RCW 43.88A.900 (Construction of chapter) and  
27 1977 ex.s. c 25 s 5 are each repealed.

--- END ---