
HOUSE BILL 2336

State of Washington 61st Legislature 2009 Regular Session

By Representatives Campbell, Seaquist, and Wood

Read first time 04/08/09. Referred to Committee on Ways & Means.

1 AN ACT Relating to establishing a joint legislative fiscal note
2 process; amending RCW 43.88A.010; adding a new chapter to Title 44 RCW;
3 and creating new sections.

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

5 NEW SECTION. **Sec. 1.** The legislature finds that legislative
6 confidence in the accuracy, timeliness, and independence of fiscal
7 notes and the fiscal note process can best be promoted by the
8 establishment of a joint legislative fiscal note process through which
9 fiscal notes may be prepared independently from the fiscal note
10 processes established in chapters 43.88A and 43.132 RCW.

11 NEW SECTION. **Sec. 2.** DEFINITIONS. The definitions in this
12 section apply throughout this chapter unless the context clearly
13 requires otherwise.

14 (1) "Fiscal note" means a written statement of the projected fiscal
15 impact on the state of a bill or resolution. The fiscal note shall
16 state whether the bill or resolution is projected to increase or
17 decrease state government revenues or expenditures. Fiscal notes shall
18 indicate by fiscal year the total impact on the state for the first two

1 years the legislation would be in effect and shall also include a
2 cumulative six-year forecast of the fiscal impact. Fiscal notes shall
3 separately identify the fiscal impacts on the operating and capital
4 budgets. "Fiscal note" also includes "local government fiscal note."

5 (2) "Local government" means any county, city, town, or other unit
6 of local government.

7 (3) "Local government fiscal note" means a written statement of the
8 projected fiscal impact of a bill or resolution on the local
9 governments of the state. Local government fiscal notes shall indicate
10 by fiscal year the total impact on the local governments involved for
11 the first two years the legislation would be in effect and shall also
12 include a cumulative six-year forecast of the fiscal impact. Where
13 feasible and applicable, the local government fiscal note also shall
14 indicate the fiscal impact on each individual county or on a
15 representative sampling of cities, towns, or other units of local
16 government.

17 (4) "The joint legislative fiscal note process" means the
18 legislature's process for preparing fiscal notes as established by rule
19 pursuant to section 3 of this act.

20 NEW SECTION. **Sec. 3.** JOINT LEGISLATIVE FISCAL NOTE PROCESS
21 ESTABLISHED. (1) The house of representatives and the senate shall
22 establish by rule a joint legislative fiscal note process for the joint
23 preparation of fiscal notes, including local government fiscal notes.
24 Under the process, fiscal notes shall be prepared jointly by staff of
25 senate committee services and the house of representatives office of
26 program research.

27 (2) The joint legislative fiscal note process shall ensure that
28 fiscal notes are timely, accurate, impartial, and nonpartisan.

29 NEW SECTION. **Sec. 4.** INTERAGENCY COOPERATION. To facilitate
30 fiscal note preparation, the office of financial management, other
31 state agencies, and the various associations of local government shall,
32 upon request, provide data, information, and analysis to the
33 legislature for purposes of the joint legislative fiscal note process.

34 NEW SECTION. **Sec. 5.** REQUESTS FOR FISCAL NOTES. Unless otherwise

1 specified by the rules adopted by the senate and the house of
2 representatives pursuant to section 3 of this act:

3 (1) Any legislator may request a fiscal note or local government
4 fiscal note on any bill or resolution.

5 (2) Fiscal notes shall be completed within one week of receipt of
6 the request, unless a longer time period is allowed by the requesting
7 legislator.

8 (3) A request for a fiscal note on legislation is a continuing
9 request for a fiscal note on any formal alteration of the legislation
10 in the form of amendments to the legislation that are adopted by a
11 committee or a house of the legislature or a substitute version of such
12 legislation that is adopted by a committee. If a formal alteration is
13 adopted on the legislation, preparation of the fiscal note on the prior
14 version of the legislation shall stop, unless the legislator requesting
15 the fiscal note specifies otherwise or the altered version is first
16 adopted or enacted in the last week of a legislative session.

17 (4) Any legislator may request a fiscal note on any legislative
18 proposal. The fiscal note shall be returned to the requesting
19 legislator. When the legislative proposal is introduced in either
20 house, copies shall be filed with the appropriate committees and
21 persons as provided in section 6 of this act.

22 NEW SECTION. **Sec. 6.** DISTRIBUTION OF FISCAL NOTES. (1) When a
23 fiscal note is completed, copies shall be filed immediately with:

24 (a) The chair of the committee to which the bill or resolution was
25 referred upon introduction in the house of origin;

26 (b) The senate committee on ways and means, or its successor;

27 (c) The house committees on revenue and appropriations, or their
28 successors;

29 (d) The requesting legislator;

30 (e) The secretary of the senate; and

31 (f) The chief clerk of the house of representatives.

32 (2) Whenever possible, the fiscal note shall be provided before or
33 at the time the bill or resolution is first heard by the first
34 committee of reference in the house of origin.

35 (3) When a fiscal note has been prepared for a bill or resolution,
36 a copy of the fiscal note shall be placed in the bill books or

1 otherwise attached to the bill or resolution and shall remain with the
2 bill or resolution throughout the legislative process insofar as
3 possible.

4 (4) The legislature, through the joint legislative fiscal note
5 process, shall make additional copies of the fiscal note available to
6 members of the legislature and others on request.

7 (5) Whenever proposed legislation accompanied by a fiscal note is
8 passed by either the senate or the house of representatives, the fiscal
9 note shall be transmitted with the bill to the other house.

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

12 The legislature hereby recognizes the necessity of developing a
13 uniform and coordinated procedure for determining the expected fiscal
14 impact of bills and resolutions on state government. The legislature
15 also recognizes that developing such statements of fiscal impact, which
16 shall be known as fiscal notes, requires the designation of a state
17 agency to be (~~principally~~) responsible therefor.

18 NEW SECTION. **Sec. 8.** Sections 2 through 6 of this act constitute
19 a new chapter in Title 44 RCW.

20 NEW SECTION. **Sec. 9.** Captions used in this act are not any part
21 of the law.

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