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HOUSE BILL 2333

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State of Washington

66th Legislature

2020 Regular Session

By Representatives Kraft and Van Werven

Prefiled 01/09/20. Read first time 01/13/20. Referred to Committee on State Government & Tribal Relations.

1 AN ACT Relating to advisory vote descriptions in the voters'  
2 pamphlet; and amending RCW 29A.72.283 and 43.135.031.

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

4 **Sec. 1.** RCW 29A.72.283 and 2008 c 1 s 8 are each amended to read  
5 as follows:

6 (1) Within five days of receipt of a measure for an advisory vote  
7 of the people from the secretary of state under RCW 29A.72.040, the  
8 attorney general shall formulate a short description, not exceeding  
9 ~~((thirty-three))~~ seventy-five words ~~((and not subject to appeal))~~, of  
10 each tax increase and any tax preference that is created or modified  
11 in the same bill, and shall transmit a certified copy of such short  
12 description meeting the requirements of this section, in writing, to  
13 the ~~((secretary of state))~~ legislature as described in subsection (3)  
14 of this section.

15 (2) The description must ~~((be formulated and displayed on the~~  
16 ~~ballot substantially as follows))~~ include the following:

17 (a) "The legislature imposed, without a vote of the people,  
18 (identification of tax, including the title of the bill, and  
19 description of increase and associated preferences, if any), costing  
20 (and saving) (most up-to-date ten-year cost and savings projections,

1 expressed in dollars and rounded to the nearest million, as  
2 determined under RCW 43.135.031) in its first ten years, for  
3 government spending. This tax increase (and associated preferences)  
4 should be:

5 Repealed..... [ ]

6 Maintained..... [ ]"

7 (~~Saturdays, Sundays, and legal holidays are not counted in~~  
8 ~~calculating the time limits in this section.~~) The words "This tax  
9 increase (and associated preferences) should be: Repealed . . . [ ]  
10 Maintained . . . [ ]" are not counted in the (~~thirty-three~~) word  
11 limit for a short description under this section; and

12 (b) A brief description of any changes made to the bill title or  
13 revenue language in the bill after the bill was introduced but before  
14 it was enacted by the legislature.

15 (3) Upon the legislature's receipt of the certified copy of the  
16 short description, the short description must be forwarded for review  
17 to both the majority and minority leaders of both the senate and the  
18 house of representatives and to both the majority and minority caucus  
19 chairs of both the senate and the house of representatives. Within  
20 five days of the legislature's receipt of the short description, the  
21 legislators listed in this subsection shall express approval or  
22 disapproval of the short description in writing to the attorney  
23 general. If there is any disapproval, the attorney general must  
24 reformulate and resubmit the short description to the legislature  
25 within three days. This review process shall repeat until each of the  
26 legislators listed in this subsection has expressed approval. At that  
27 point, the attorney general shall transmit a certified copy of the  
28 short description to the secretary of state and certified copies to  
29 the majority and minority leaders of both the senate and the house of  
30 representatives.

31 (4) For purposes of subsection (3) of this section, a  
32 legislator's failure to express approval or disapproval in writing  
33 within the five-day period is treated as disapproval, unless the  
34 failure is attributed to a vacancy in the position or an inability of  
35 the legislator to discharge the powers and duties of the office. In  
36 such cases, that legislator's written approval is not required.

37 (5) Saturdays, Sundays, and legal holidays are not counted in  
38 calculating the time limits in this section.

1       (6) For purposes of this section, "tax preference" means the same  
2 as in RCW 43.136.021.

3       **Sec. 2.** RCW 43.135.031 and 2013 c 1 s 5 are each amended to read  
4 as follows:

5       (1) For any bill introduced in either the house of  
6 representatives or the senate that raises taxes as defined by RCW  
7 43.135.034 or increases fees, the office of financial management must  
8 expeditiously determine its cost to the taxpayers in its first ten  
9 years of imposition(~~7~~). If the bill raises taxes or increases fees  
10 but also creates or modifies tax preferences, as defined in RCW  
11 43.136.021, or decreases fees, the office of financial management  
12 must determine its savings to the taxpayers in its first ten years of  
13 imposition. The cost and savings of the bill must be separately  
14 displayed. The office of financial management must promptly and  
15 without delay report the results of its analysis by public press  
16 release via email to each member of the house of representatives,  
17 each member of the senate, the news media, and the public, and must  
18 post and maintain these releases on its web site. Any ten-year cost  
19 and savings projections must include a year-by-year breakdown. For  
20 any bill containing more than one revenue source or tax preference, a  
21 ten-year cost or savings projection for each revenue source or tax  
22 preference will be included along with the bill's total ten-year cost  
23 and savings projections. The press release shall include the names of  
24 the legislators, and their contact information, who are sponsors and  
25 cosponsors of the bill so they can provide information to, and answer  
26 questions from, the public.

27       (2) Any time any legislative committee schedules a public hearing  
28 on a bill that raises taxes as defined by RCW 43.135.034 or increases  
29 fees, the office of financial management must promptly and without  
30 delay report the results of its most up-to-date analysis of the bill  
31 required by subsection (1) of this section and the date, time, and  
32 location of the hearing by public press release via email to each  
33 member of the house of representatives, each member of the senate,  
34 the news media, and the public, and must post and maintain these  
35 releases on its web site. The press release required by this  
36 subsection must include all the information required by subsection  
37 (1) of this section and the names of the legislators, and their  
38 contact information, who are members of the legislative committee

1 conducting the hearing so they can provide information to, and answer  
2 questions from, the public.

3 (3) Each time a bill that raises taxes as defined by RCW  
4 43.135.034 or increases fees is approved by any legislative committee  
5 or by at least a simple majority in either the house of  
6 representatives or the senate, the office of financial management  
7 must expeditiously reexamine and redetermine its ten-year cost and  
8 savings projections due to amendment or other changes during the  
9 legislative process, and must promptly and without delay report the  
10 results of its most up-to-date analysis by public press release via  
11 email to each member of the house of representatives, each member of  
12 the senate, the news media, and the public, and must post and  
13 maintain these releases on its web site. Any ten-year cost and  
14 savings projections must include a year-by-year breakdown that  
15 separately displays the cost and savings. For any bill containing  
16 more than one revenue source or tax preference, a ten-year cost or  
17 savings projection for each revenue source or tax preference will be  
18 included along with the bill's total ten-year cost and savings  
19 projections. The press release shall include the names of the  
20 legislators, and their contact information, and how they voted on the  
21 bill so they can provide information to, and answer questions from,  
22 the public.

23 (4) For the purposes of this section, "names of legislators, and  
24 their contact information" includes each legislator's position  
25 (senator or representative), first name, last name, party affiliation  
26 (for example, Democrat or Republican), city or town they live in,  
27 office phone number, and office email address.

28 (5) For the purposes of this section, "news media" means any  
29 member of the press or media organization, including newspapers,  
30 radio, and television, that signs up with the office of financial  
31 management to receive the public press releases by email.

32 (6) For the purposes of this section, "the public" means any  
33 person, group, or organization that signs up with the office of  
34 financial management to receive the public press releases by email.

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