

EHB 1453 - S AMD 539
By Senator Kuderer

NOT CONSIDERED 04/26/2021

1 Strike everything after the enacting clause and insert the
2 following:

3 **"Sec. 1.** RCW 29A.32.010 and 2003 c 111 s 801 are each amended to
4 read as follows:

5 The secretary of state shall, whenever at least one statewide
6 measure or office is scheduled to appear on the general election
7 ballot, print and distribute a voters' pamphlet.

8 The secretary of state shall distribute the voters' pamphlet to
9 each household in the state, to public libraries, and to any other
10 locations he or she deems appropriate. The secretary of state shall
11 also produce (~~taped~~) recorded or Braille transcripts of the voters'
12 pamphlet, publicize their availability, and mail without charge a
13 copy to any person who requests one.

14 The secretary of state may make the material required to be
15 distributed by this chapter available to the public in electronic
16 form. The secretary of state may provide the material in electronic
17 form to (~~computer bulletin boards~~) web based, print, and broadcast
18 news media, (~~community computer networks,~~) and similar services at
19 the cost of reproduction or transmission of the data.

20 **Sec. 2.** RCW 29A.32.020 and 2003 c 111 s 802 are each amended to
21 read as follows:

22 No person or entity may publish or distribute any campaign
23 material that is deceptively similar in design or appearance to a
24 voters' pamphlet that was published by the secretary of state during
25 the ten-year period before the publication or distribution of the
26 campaign material by the person or entity. The secretary of state
27 shall take reasonable measures to prevent or to stop violations of
28 this section. Such measures may include, among others, petitioning
29 the superior court for a temporary restraining order or other
30 appropriate injunctive relief. In addition, the secretary may request
31 the superior court to impose a civil fine on a violator of this

1 section. The court is authorized to levy on and recover from each
2 violator a civil fine not to exceed the greater of: (1) (~~Two~~) Five
3 dollars for each copy of the deceptive material distributed, or (2)
4 (~~one thousand dollars~~) \$10,000. In addition, the violator is liable
5 for the state's legal expenses and other costs resulting from the
6 violation. Any funds recovered under this section must be transmitted
7 to the state treasurer for deposit in the general fund.

8 **Sec. 3.** RCW 29A.32.031 and 2020 c 208 s 11 are each amended to
9 read as follows:

10 The voters' pamphlet published or distributed under RCW
11 29A.32.010 must contain:

12 (1) Information about each measure for an advisory vote of the
13 people and each ballot measure initiated by or referred to the voters
14 for their approval or rejection as required by RCW 29A.32.070;

15 (2) In even-numbered years, statements, if submitted, from
16 candidates for the office of president and vice president of the
17 United States, United States senator, United States representative,
18 governor, lieutenant governor, secretary of state, state treasurer,
19 state auditor, attorney general, commissioner of public lands,
20 superintendent of public instruction, insurance commissioner, state
21 senator, state representative, justice of the supreme court, judge of
22 the court of appeals, or judge of the superior court. Candidates may
23 also submit campaign contact information and a photograph not more
24 than five years old in a format that the secretary of state
25 determines to be suitable for reproduction in the voters' pamphlet;

26 (3) In odd-numbered years, (~~if~~) for any office voted upon
27 statewide or any multicounty congressional or multicounty legislative
28 district that appears on the ballot due to a vacancy, (~~then~~)
29 statements and photographs for candidates for any vacant office
30 listed in subsection (2) of this section must appear;

31 (4) Contact information for the public disclosure commission
32 established under RCW 42.17A.100, including the following statement:
33 "For a list of the people and organizations that donated to state and
34 local candidates and ballot measure campaigns, visit www.pdc.wa.gov."
35 The statement must be placed in a prominent position, such as on the
36 cover or on the first two pages of the voters' pamphlet. The
37 secretary of state may substitute such language as is necessary for
38 accuracy and clarity and consistent with the intent of this section;

39 (5) Contact information for major political parties;

1 (6) A brief statement explaining the deletion and addition of
2 language for proposed measures under RCW 29A.32.080;

3 (7) A list of all student engagement hubs as designated under RCW
4 29A.40.180; (~~and~~)

5 (8) A pie chart prepared by the legislative evaluation and
6 accountability program committee showing total budgeted funds for the
7 state operating budget by functional areas of government for the most
8 recent biennium; and

9 (9) Any additional information pertaining to elections as may be
10 required by law or in the judgment of the secretary of state is
11 deemed informative to the voters.

12 **Sec. 4.** RCW 29A.32.060 and 2015 c 171 s 2 are each amended to
13 read as follows:

14 Committees shall write and submit arguments advocating the
15 approval or rejection of each statewide ballot issue and rebuttals of
16 those arguments. The secretary of state, the presiding officer of the
17 senate, and the presiding officer of the house of representatives
18 shall appoint the initial two members of each committee. In making
19 these committee appointments the secretary of state and presiding
20 officers of the senate and house of representatives shall consider
21 legislators, sponsors of initiatives and referendums, and other
22 interested groups known to advocate or oppose the ballot measure.
23 Committees must have the explanatory and fiscal impact statements
24 available before preparing their arguments.

25 The initial two members may select up to four additional members,
26 and the committee shall elect a chairperson. The remaining committee
27 member or members may fill vacancies through appointment.

28 After the committee submits its initial argument statements to
29 the secretary of state, the secretary of state shall transmit the
30 statements to the opposite committee. The opposite committee may then
31 prepare rebuttal arguments. Rebuttals may not interject new points.

32 The voters' pamphlet may contain only argument statements
33 prepared according to this section. (~~Arguments may contain graphs~~
34 ~~and charts supported by factual statistical data and pictures or~~
35 ~~other illustrations. Cartoons~~) Graphs, charts, photographs,
36 cartoons, or caricatures are not permitted.

37 **Sec. 5.** RCW 29A.32.070 and 2016 c 83 s 1 are each amended to
38 read as follows:

1 The secretary of state shall determine the format and layout of
2 the voters' pamphlet published under RCW 29A.32.010. The secretary of
3 state shall print the pamphlet in clear, readable type on a size,
4 quality, and weight of paper that in the judgment of the secretary of
5 state best serves the voters. The pamphlet must contain a table of
6 contents. Measures and arguments must be printed in the order
7 specified by RCW 29A.72.290.

8 The secretary of state's name may not appear in the voters'
9 pamphlet in his or her official capacity if the secretary is a
10 candidate for office during the same year. His or her name may only
11 be included as part of the information normally included for
12 candidates.

13 The voters' pamphlet must provide the following information for
14 each statewide issue on the ballot except measures for an advisory
15 vote of the people whose requirements are provided in subsection (11)
16 of this section:

17 (1) The legal identification of the measure by serial designation
18 or number;

19 (2) The official ballot title of the measure;

20 (3) A statement prepared by the attorney general explaining the
21 law as it presently exists;

22 (4) A statement prepared by the attorney general explaining the
23 effect of the proposed measure if it becomes law;

24 (5) The fiscal impact statement prepared under RCW 29A.72.025;

25 (6) The total number of votes cast for and against the measure in
26 the senate and house of representatives, if the measure has been
27 passed by the legislature;

28 (7) An argument advocating the voters' approval of the measure
29 together with any statement in rebuttal of the opposing argument;

30 (8) An argument advocating the voters' rejection of the measure
31 together with any statement in rebuttal of the opposing argument;

32 (9) Each argument or rebuttal statement must be followed by the
33 names of the committee members who submitted them, and may be
34 followed by a telephone number that citizens may call to obtain
35 information on the ballot measure;

36 (10) The full text of the measure;

37 (11) (~~Two pages~~) Adequate space shall be provided in the
38 general election voters' pamphlet for each measure for an advisory
39 vote of the people under RCW 43.135.041 and shall consist of the
40 serial number assigned by the secretary of state under RCW

1 29A.72.040, the short description formulated by the attorney general
2 under RCW 29A.72.283, the tax increase's most up-to-date ten-year
3 cost projection, including a year-by-year breakdown, by the office of
4 financial management under RCW 43.135.031(~~(, and the names of the~~
5 ~~legislators, and their contact information, and how they voted on the~~
6 ~~increase upon final passage so they can provide information to, and~~
7 ~~answer questions from, the public. For the purposes of this~~
8 ~~subsection, "names of legislators, and their contact information"~~
9 ~~includes each legislator's position (senator or representative),~~
10 ~~first name, last name, party affiliation (for example, Democrat or~~
11 ~~Republican), city or town they live in, office phone number, and~~
12 ~~office email address)), a reference to the page for the bill on the~~
13 official legislative website, preceded by the statement "To find out
14 how your legislators voted, visit this website," and the fiscal
15 impact statement prepared under section 18 of this act.

16 **Sec. 6.** RCW 29A.32.090 and 2009 c 222 s 3 are each amended to
17 read as follows:

18 (1) (~~(1f)~~) All statements, arguments, and photographs submitted
19 are subject to review and approval, and must conform to the criteria
20 in this section. A statement or photograph may be rejected, if in the
21 opinion of the secretary of state any argument or statement offered
22 for inclusion in the voters' pamphlet in support of or opposition to
23 a measure or candidate does not comply with the standards contained
24 in this section or administrative rules or contains obscene matter or
25 matter that is otherwise prohibited by law from distribution through
26 the mail(~~(r)~~). A person or committee that has submitted a statement
27 or photo rejected by the secretary may edit their statement or
28 petition the superior court of Thurston county for a judicial
29 determination that the photograph, argument, or statement (~~may be~~
30 rejected)) complies with the standards and is acceptable for
31 publication or edited to delete the matter. The court shall not enter
32 such an order unless it concludes that the matter is compliant, not
33 obscene, or not otherwise prohibited for distribution through the
34 mail.

35 (2) Any statements by a candidate are limited to:

36 (a) Those about the candidate himself or herself;

37 (b) Plans and goals for the future of the jurisdiction; and

38 (c) Direction on where to find more information about the
39 candidate.

1 (3) Candidate statements may not:

2 (a) Ask for contributions;

3 (b) Make commercial solicitations; or

4 (c) Make obscene or otherwise inappropriate comments.

5 (4) Statements and arguments submitted in support of or
6 opposition to a measure may not:

7 (a) Ask for contributions;

8 (b) Make commercial solicitations; or

9 (c) Make obscene or otherwise inappropriate comments.

10 (5) A candidate's statement submitted for inclusion in the
11 voters' pamphlet shall not contain false or misleading statements
12 about the candidate's opponent. A false or misleading statement shall
13 be considered "libel or defamation per se" if the statement tends to
14 expose the candidate to hatred, contempt, ridicule, or obloquy, or to
15 deprive him or her of the benefit of public confidence or social
16 intercourse, or to injure him or her in his or her business or
17 occupation. If a candidate believes his or her opponent has libeled
18 or defamed him or her, the candidate may commence an action under
19 subsection ~~((3))~~ (6) of this section.

20 ~~((3))~~ (6)(a) A person who believes that he or she may be
21 defamed by an argument or statement offered for inclusion in the
22 voters' pamphlet in support of or opposition to a measure or
23 candidate may petition the superior court of Thurston county for a
24 judicial determination that the argument or statement may be rejected
25 for publication or edited to delete the defamatory statement.

26 (b) The court shall not enter such an order unless it concludes
27 that the statement is untrue and that the petitioner has a very
28 substantial likelihood of prevailing in a defamation action.

29 (c) An action under this subsection ~~((3))~~ (6) must be filed and
30 served no later than the tenth day after the deadline for the
31 submission of the argument or statement to the secretary of state.

32 (d) If the secretary of state notifies a person named or
33 identified in an argument or statement of the contents of the
34 argument or statement within three days after the deadline for
35 submission to the secretary, then neither the state nor the secretary
36 is liable for damages resulting from publication of the argument or
37 statement unless the secretary publishes the argument or statement in
38 violation of an order entered under this section. Nothing in this
39 section creates a duty on the part of the secretary of state to
40 identify, locate, or notify the person.

1 ~~((4))~~ (7) Parties to a dispute under this section may agree to
2 resolve the dispute by rephrasing the argument or statement, even if
3 the deadline for submission to the secretary has elapsed, unless the
4 secretary determines that the process of publication is too far
5 advanced to permit the change. The secretary shall promptly provide
6 any such revision to any committee entitled to submit a rebuttal
7 argument. If that committee has not yet submitted its rebuttal, its
8 deadline to submit a rebuttal is extended by five days. If it has
9 submitted a rebuttal, it may revise it to address the change within
10 five days of the filing of the revised argument with the secretary.

11 ~~((5))~~ (8) In an action under this section the committee or
12 candidate must be named as a defendant, and may be served with
13 process by certified mail directed to the address contained in the
14 secretary's records for that party. The secretary of state shall be a
15 nominal party to an action brought under subsection ~~((3))~~ (6) of
16 this section, solely for the purpose of determining the content of
17 the voters' pamphlet. The superior court shall give such an action
18 priority on its calendar.

19 **Sec. 7.** RCW 29A.32.110 and 2003 c 111 s 811 are each amended to
20 read as follows:

21 All photographs of candidates submitted for publication must
22 conform to standards established by the secretary of state by rule.
23 No photograph may reveal clothing or insignia suggesting the holding
24 of a public office. No photograph may include hats, buttons, or
25 clothing showing words, insignia, or symbols.

26 **Sec. 8.** RCW 29A.32.121 and 2004 c 271 s 168 are each amended to
27 read as follows:

28 (1) The maximum number of words for statements submitted by
29 candidates is as follows: State representative, one hundred words;
30 state senator, judge of the superior court, judge of the court of
31 appeals, justice of the supreme court, and all state offices voted
32 upon throughout the state, except that of governor, two hundred
33 words; president and vice president, United States senator, United
34 States representative, and governor, three hundred words.

35 (2) Arguments written by committees under RCW 29A.32.060 may not
36 exceed two hundred fifty words in length.

37 (3) Rebuttal arguments written by committees may not exceed
38 seventy-five words in length.

1 (4) The secretary of state or county auditor shall allocate space
2 in the pamphlet based on the number of candidates or nominees for
3 each office.

4 **Sec. 9.** RCW 29A.32.210 and 2020 c 337 s 6 are each amended to
5 read as follows:

6 Before any primary or general election, or any special election
7 held under RCW 29A.04.321 or 29A.04.330, each county auditor shall
8 print and distribute a local voters' pamphlet. The pamphlet shall
9 provide information on all measures and candidates within that
10 (~~jurisdiction~~) county. The format of any local voters' pamphlet
11 shall, whenever applicable, comply with the provisions of this
12 chapter regarding the publication of the state candidates' and
13 voters' pamphlets.

14 **Sec. 10.** RCW 29A.32.220 and 2003 c 111 s 814 are each amended to
15 read as follows:

16 (1) Not later than ninety days before the publication and
17 distribution of a local voters' pamphlet by a county, the county
18 auditor shall notify each city, town, or special taxing district
19 located (~~wholly~~) within that county that a pamphlet will be
20 produced.

21 (2) (~~If a~~) All voters' (~~pamphlet is~~) pamphlets published by
22 the county (~~for a primary or general election, the pamphlet shall be~~
23 ~~published for~~) per RCW 29A.32.210 must include the elective offices
24 and ballot measures of the county and (~~for~~) the elective offices
25 and ballot measures of each unit of local government located
26 (~~entirely~~) within the county which will appear on the ballot at
27 that primary or election. (~~However, the offices and measures of a~~
28 ~~first-class or code city shall not be included in the pamphlet if the~~
29 ~~city publishes and distributes its own voters' pamphlet for the~~
30 ~~primary or election for its offices and measures. The offices and~~
31 ~~measures of any other town or city are not required to appear in the~~
32 ~~county's pamphlet if the town or city is obligated by ordinance or~~
33 ~~charter to publish and distribute a voters' pamphlet for the primary~~
34 ~~or election for its offices and measures and it does so.))~~

35 If the required appearance in a county's voters' pamphlet of the
36 offices or measures of a unit of local government would create undue
37 financial hardship for the unit of government, the legislative
38 authority of the unit may petition the legislative authority of the

1 county to waive this requirement. The legislative authority of the
2 county may provide such a waiver if it does so not later than sixty
3 days before the publication of the pamphlet and it finds that the
4 requirement would create such hardship.

5 (3) If a city, town, or district is located within more than one
6 county, (~~the respective county auditors may enter into an interlocal
7 agreement to permit the distribution of each county's local voters'
8 pamphlet into those parts of the city, town, or district located
9 outside of that county~~) all appropriate information for that
10 jurisdiction must appear in the local voters' pamphlet for each of
11 the counties containing the jurisdiction. Arguments, candidate
12 statements, and photographs must be submitted to the county auditor
13 of the county that accepted any resolutions or candidate filings for
14 that jurisdiction. The auditor that receives this information shall
15 provide it to the other county auditors after reviewing and accepting
16 the submissions.

17 (4) (~~If a first-class or code city authorizes the production and
18 distribution of a local voters' pamphlet, the city clerk of that city
19 shall notify any special taxing district located wholly within that
20 city that a pamphlet will be produced. Notification shall be provided
21 in the manner required or provided for in subsection (1) of this
22 section.~~

23 ~~(5)~~) A unit of local government located within a county and the
24 county may enter into an interlocal agreement for the publication of
25 a voters' pamphlet for offices or measures not required by subsection
26 (2) of this section to appear in a county's pamphlet.

27 **Sec. 11.** RCW 29A.32.230 and 2003 c 111 s 815 are each amended to
28 read as follows:

29 (~~The~~) (1) The secretary of state in consultation with county
30 (~~auditor or, if applicable, the city clerk of a first-class or code~~
31 ~~city)~~ auditors shall (~~, in consultation with the participating~~
32 ~~jurisdictions,~~) adopt (~~and publish~~) administrative rules necessary
33 to facilitate (~~the provisions of any ordinance authorizing~~)
34 production of a local voters' pamphlet. (~~Any amendment to such a~~
35 ~~rule shall also be adopted and published. Copies of the rules shall~~
36 ~~identify the date they were adopted or last amended and shall be made~~
37 ~~available to any person upon request. One copy of the rules adopted~~
38 ~~by a county auditor and one copy of any amended rules shall be~~
39 ~~submitted to the county legislative authority. One copy of the rules~~

1 ~~adopted by a city clerk and one copy of any amended rules shall be~~
2 ~~submitted to the city legislative authority.))~~ These rules shall
3 include but not be limited to the following:

4 ~~((1) Deadlines for decisions by cities, towns, or special taxing~~
5 ~~districts on being included in the pamphlet;~~

6 ~~(2))~~ (a) Limits on the length and deadlines for submission of
7 arguments for and against each measure;

8 ~~((3))~~ (b) The basis for rejection of any explanatory or
9 candidates' statement or argument deemed to be ((libelous or
10 otherwise inappropriate)) noncompliant with this section or
11 administrative rules adopted in accordance with this section.

12 Candidate statements must adhere to the following:

13 (i) Any statements by a candidate shall be limited to ((those)):

14 (A) Those about the candidate himself or herself;

15 (B) Plans and goals for the future of the jurisdiction;

16 (C) Directions on where to find more information about the
17 candidate.

18 (ii) Candidate statements may not:

19 (A) Ask for contributions;

20 (B) Make commercial solicitations; or

21 (C) Make obscene or otherwise inappropriate comments;

22 ~~((4))~~ (c) Limits on the length and deadlines for submission of
23 candidates' statements;

24 ~~((5))~~ (d) An appeal process in the case of the rejection of any
25 statement or argument;

26 (e) Standards related to acceptable candidate photographs; and

27 (f) Standards related to statements for and against any measure.

28 (2) The county auditor shall adopt and publish local
29 administrative rules necessary to facilitate production of a local
30 voters' pamphlet. Any amendment to such a rule shall also be adopted
31 and published. Copies of the rules must identify the date they were
32 adopted or last amended and must be made available to any person upon
33 request.

34 **Sec. 12.** RCW 29A.32.241 and 2020 c 208 s 12 are each amended to
35 read as follows:

36 (1) The local voters' pamphlet shall include but not be limited
37 to the following:

1 (a) Appearing on the cover, the words "official local voters'
2 pamphlet," the name of the jurisdiction producing the pamphlet, and
3 the date of the election or primary;

4 (b) A list of jurisdictions that have measures or candidates in
5 the pamphlet;

6 (c) Information on how a person may register to vote and obtain a
7 ballot;

8 (d) Candidate statements and photographs;

9 (e) The text of each measure accompanied by an explanatory
10 statement prepared by the prosecuting attorney for any county measure
11 or by the attorney for the jurisdiction submitting the measure if
12 other than a county measure. All explanatory statements for city,
13 town, or district measures not approved by the attorney for the
14 jurisdiction submitting the measure shall be reviewed and approved by
15 the county prosecuting attorney or city attorney, when applicable,
16 before inclusion in the pamphlet;

17 ~~((e))~~ (f) The arguments for and against each measure submitted
18 by committees selected pursuant to RCW 29A.32.280; and

19 ~~((f))~~ (g) A list of all student engagement hubs in the county
20 as designated under RCW 29A.40.180 ~~(; and~~

21 ~~(g) For partisan primary elections, information on how to vote~~
22 ~~the applicable ballot format and an explanation that minor political~~
23 ~~party candidates and independent candidates will appear only on the~~
24 ~~general election ballot)).~~

25 (2) The county auditor's name may not appear in the local voters'
26 pamphlet in his or her official capacity if the county auditor is a
27 candidate for office during the same year. His or her name may only
28 be included as part of the information normally included for
29 candidates.

30 **Sec. 13.** RCW 29A.32.250 and 2003 c 111 s 817 are each amended to
31 read as follows:

32 ~~((If the legislative authority of a county or first-class or code~~
33 ~~city provides for the inclusion of candidates in the local voters'~~
34 ~~pamphlet, the pamphlet)) Local voters' pamphlets shall include
35 ~~((the))~~ candidate statements ~~((from candidates and may also include))~~
36 that have been accepted by the county auditor and those candidates'
37 photographs.~~

1 **Sec. 14.** RCW 29A.32.260 and 2011 c 10 s 30 are each amended to
2 read as follows:

3 As soon as practicable before the primary, special election, or
4 general election, the county auditor (~~(, or if applicable, the city~~
5 ~~clerk of a first-class or code city, as appropriate,)) shall mail the
6 local voters' pamphlet to every residence in each jurisdiction (~~(that~~
7 ~~has included information))~~ within the county for all jurisdictions
8 participating in the associated primary or election for which
9 election information is included in the pamphlet, as well as to the
10 ballot mailing address of every service or overseas voter registered
11 in the jurisdiction who has requested a voters' pamphlet. The county
12 auditor (~~(or city clerk, as appropriate,))~~ may choose to mail the
13 pamphlet to each registered voter in each jurisdiction that has
14 (~~(included information in the pamphlet))~~ a primary or election, if in
15 his or her judgment, a more economical and effective distribution of
16 the pamphlet would result. A local voters' pamphlet mailed to a
17 service or overseas voter under this section must be accompanied by
18 the state voters' pamphlet, if one has been printed, and must be sent
19 at the same time as the ballot or as soon as practicable thereafter.~~

20 **Sec. 15.** RCW 29A.32.280 and 2015 c 146 s 3 are each amended to
21 read as follows:

22 For each measure from a unit of local government (~~(that is))~~
23 included in a local voters' pamphlet, the legislative authority of
24 that jurisdiction shall, not later than the resolution deadline,
25 formally appoint a committee to prepare arguments advocating voters'
26 approval of the measure and shall formally appoint a committee to
27 prepare arguments advocating voters' rejection of the measure. The
28 authority shall appoint persons that reside within the jurisdictional
29 boundaries known to favor the measure to serve on the committee
30 advocating approval and shall, whenever possible, appoint persons
31 known to oppose the measure to serve on the committee advocating
32 rejection, these committee members must reside within the
33 jurisdictional boundaries. Each committee shall have not more than
34 three members, however, a committee may seek the advice of any person
35 or persons. If the legislative authority of a unit of local
36 government fails to make such appointments by the prescribed
37 deadline, the county auditor shall (~~(whenever possible make the~~
38 ~~appointments))~~ issue a media release and publish information on their
39 election website announcing the opportunity to form committees and

1 provide statements. If the legislative authority fails to make
2 appointments, the auditor shall make appointments on a first-come,
3 first-served basis if qualified committee members contact the auditor
4 by the appropriate deadline. If no statement is produced the auditor
5 shall include a statement in the pamphlet stating that the district
6 failed to make appointments and there are no statements for that
7 measure.

8 **Sec. 16.** RCW 29A.40.020 and 2011 c 10 s 36 are each amended to
9 read as follows:

10 (1) A request for a ballot from an overseas voter or service
11 voter must include the address of the last residence in the state of
12 Washington.

13 (2) An overseas or service voter may also request that the county
14 auditor mail the voter a local voters' pamphlet and a state voters'
15 pamphlet, if such pamphlets have been printed for the election.

16 (3) No person, organization, or association may distribute any
17 ballot materials that contain a return address other than that of the
18 appropriate county auditor.

19 **Sec. 17.** RCW 29A.72.025 and 2009 c 415 s 7 are each amended to
20 read as follows:

21 The office of financial management, in consultation with the
22 secretary of state, the attorney general, and any other appropriate
23 state or local agency, shall prepare a fiscal impact statement for
24 each of the following state ballot measures: (1) An initiative to the
25 people that is certified to the ballot; (2) an initiative to the
26 legislature that will appear on the ballot; (3) an alternative
27 measure appearing on the ballot that the legislature proposes to an
28 initiative to the legislature; (4) a referendum bill referred to
29 voters by the legislature; and (5) a referendum measure appearing on
30 the ballot. Fiscal impact statements must be written in clear and
31 concise language, avoid legal and technical terms when possible, and
32 be filed with the secretary of state no later than the (~~tenth~~) 15th
33 day of (~~August~~) July. Fiscal impact statements may include easily
34 understood graphics.

35 A fiscal impact statement must describe any projected increase or
36 decrease in revenues, costs, expenditures, or indebtedness that the
37 state or local governments will experience if the ballot measure were
38 approved by state voters. Where appropriate, a fiscal impact

1 statement may include both estimated dollar amounts and a description
2 placing the estimated dollar amounts into context. A fiscal impact
3 statement must include both a summary of not to exceed one hundred
4 words and a more detailed statement that includes the assumptions
5 that were made to develop the fiscal impacts.

6 Fiscal impact statements must be available online from the
7 secretary of state's website and included in the state voters'
8 pamphlet. Additional information may be posted on the website of the
9 office of financial management.

10 NEW SECTION. **Sec. 18.** A new section is added to chapter 29A.32
11 RCW to read as follows:

12 (1) The office of financial management, in consultation with the
13 secretary of state, the attorney general, and any other appropriate
14 state or local agency, shall prepare a fiscal impact statement for
15 each measure for an advisory vote of the people. Fiscal impact
16 statements must be written in clear and concise language, avoid legal
17 and technical terms when possible, and be filed with the secretary of
18 state no later than the 15th day of July. Fiscal impact statements
19 may include easily understood graphics.

20 (2) A fiscal impact statement must describe any projected
21 increase or decrease in revenues, costs, expenditures, or
22 indebtedness that the state or local governments will experience.
23 Where appropriate, a fiscal impact statement may include both
24 estimated dollar amounts and a description placing the estimated
25 dollar amounts into context. A fiscal impact statement must include a
26 summary not to exceed 100 words, and a more detailed statement that
27 includes the assumptions that were made to develop the fiscal
28 impacts.

29 (3) Fiscal impact statements must be available online from the
30 secretary of state's website and included in the state voters'
31 pamphlet. Additional information may be posted on the website of the
32 office of financial management.

33 NEW SECTION. **Sec. 19.** This act takes effect January 1, 2022."

NOT CONSIDERED 04/26/2021

1 On page 1, line 1 of the title, after "pamphlets;" strike the
2 remainder of the title and insert "amending RCW 29A.32.010,
3 29A.32.020, 29A.32.031, 29A.32.060, 29A.32.070, 29A.32.090,
4 29A.32.110, 29A.32.121, 29A.32.210, 29A.32.220, 29A.32.230,
5 29A.32.241, 29A.32.250, 29A.32.260, 29A.32.280, 29A.40.020, and
6 29A.72.025; adding a new section to chapter 29A.32 RCW; and providing
7 an effective date."

EFFECT: (1) Requires mailing state and local voters' pamphlets to service and overseas voters upon request.

(2) Removes requirement that legislator names, contact, and voting information appear in the voters' pamphlet for advisory votes.

(3) Requires that a reference to the legislative website appear in the voters' pamphlet for advisory votes.

(4) Removes language limiting candidate statements in voters' pamphlets to plans for the jurisdiction and directions on how to find information about the candidate.

(5) Requires that a fiscal impact statement appear in the voters' pamphlet for all legislation passed increasing state revenues.

(6) Requires that a pie chart showing operating budget expenditures for the most recent biennium appear in the voters' pamphlet.

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