

**SHB 1876** - S COMM AMD

By Committee on State Government & Elections

**ADOPTED AS AMENDED 03/02/2022**

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

3 "NEW SECTION. **Sec. 1.** The legislature recognizes that the  
4 people have reserved for themselves the power to enact or reject  
5 legislation through the initiative and referendum process, as  
6 provided in Article II, section 1 of the state Constitution. The  
7 legislature finds that when exercising this right, the people are  
8 entitled to know the fiscal impact that their vote will have on  
9 public investments at the time they cast their ballots. The  
10 legislature further finds that when a ballot measure will affect  
11 funding for public investments, a neutral, nonprejudicial disclosure  
12 of the public investments affected will provide greater transparency  
13 and necessary information for voters.

14 NEW SECTION. **Sec. 2.** A new section is added to chapter 29A.72  
15 RCW to read as follows:

16 (1) The attorney general must prepare a public investment impact  
17 disclosure for any ballot measure that:

18 (a) Repeals, levies, or modifies any tax or fee, including  
19 changing the scope or application of an existing tax or fee; and

20 (b) Has a fiscal impact statement, as provided by RCW 29A.72.025,  
21 that shows that adoption of the measure would cause a net change in  
22 state revenue.

23 (2) The public investment impact disclosure must include a  
24 description of the investments that will be affected if the measure  
25 is adopted. The description must be sufficiently broad to reflect the  
26 subject of the investments that will be impacted by the change in  
27 revenue that will result from adoption of the measure, but also  
28 sufficiently precise to give notice of the subject matter of the  
29 investments that will be impacted by the change in revenue that will  
30 result from adoption of the measure. The description may not exceed

1 10 words, unless the fiscal impact is primarily to the state general  
2 fund, in which case the description must list the top three  
3 categories of state services funded by the general fund in the  
4 current state budget and may not exceed 15 words. The attorney  
5 general may consult with the office of financial management or any  
6 other state or local agencies as necessary to procure accurate  
7 information to draft the description.

8 (3) The format of the public investment impact disclosure, as it  
9 appears on the ballot, is:

10 "This measure would (increase or decrease) funding for  
11 (description of services)."

12 (4) In drafting the public investment impact disclosure, the  
13 attorney general must use neutral language that cannot reasonably be  
14 expected to create prejudice for or against the measure. The language  
15 of the disclosure is not subject to appeal.

16 (5) The attorney general must file the public investment impact  
17 disclosure with the secretary of state no later than five business  
18 days after July 31st.

19 (6) The secretary of state must certify the public investment  
20 impact disclosure and timely transmit it to each county auditor for  
21 its inclusion on the ballot.

22 (7) Public investment impact disclosures are not considered part  
23 of the ballot title under this chapter and are not subject to any of  
24 the legal requirements for ballot titles.

25 **Sec. 3.** RCW 29A.72.050 and 2003 c 111 s 1806 are each amended to  
26 read as follows:

27 (1) The ballot title for an initiative to the people, an  
28 initiative to the legislature, a referendum bill, or a referendum  
29 measure consists of: (a) A statement of the subject of the measure;  
30 (b) a concise description of the measure; and (c) a question in the  
31 form prescribed in this section for the ballot measure in question.  
32 The statement of the subject of a measure must be sufficiently broad  
33 to reflect the subject of the measure, sufficiently precise to give  
34 notice of the measure's subject matter, and not exceed ten words. The  
35 concise description must contain no more than thirty words, be a true  
36 and impartial description of the measure's essential contents,  
37 clearly identify the proposition to be voted on, and not, to the  
38 extent reasonably possible, create prejudice either for or against  
39 the measure.



1 Measure No. . . . .

2 or

3 Measure No. . . . .

4 ((4)) (5) For a referendum bill submitted to the people by the  
5 legislature, the ballot issue and public investment impact  
6 disclosure, if applicable, must be displayed on the ballot  
7 substantially as follows:

8 "The legislature has passed . . . . Bill No. . . . concerning  
9 (statement of subject). This bill would (concise  
10 description). (Public investment impact disclosure, if  
11 applicable). Should this bill be:

12 Approved . . . . .

13 Rejected . . . . .

14 ((5)) (6) For a referendum measure by state voters on a bill  
15 the legislature has passed, the ballot issue and public investment  
16 impact disclosure, if applicable, must be displayed on the ballot  
17 substantially as follows:

18 "The legislature passed . . . . Bill No. . . . concerning  
19 (statement of subject) and voters have filed a sufficient  
20 referendum petition on this bill. This bill would (concise  
21 description). (Public investment impact disclosure, if  
22 applicable). Should this bill be:

23 Approved . . . . .

24 Rejected . . . . .

25 ((6)) (7) The legislature may specify the statement of subject  
26 or concise description, or both, in a referendum bill that it refers  
27 to the people. The legislature may specify the concise description  
28 for an alternative it submits for an initiative to the legislature.  
29 If the legislature fails to specify these matters, the attorney  
30 general shall prepare the material that was not specified. The  
31 statement of subject and concise description as so provided must be  
32 included as part of the ballot title unless changed on appeal.

33 The attorney general shall specify the statement of subject and  
34 concise description for an initiative to the people, an initiative to  
35 the legislature, and a referendum measure. The statement of subject

1 and concise description as so provided must be included as part of  
2 the ballot title unless changed on appeal.

3 **Sec. 4.** RCW 29A.72.290 and 2013 c 11 s 76 are each amended to  
4 read as follows:

5 The county auditor of each county shall print on the official  
6 ballots for the election at which initiative and referendum measures  
7 and measures for an advisory vote of the people are to be submitted  
8 to the people for their approval or rejection, the serial numbers  
9 ~~((and)),~~ ballot titles, and public investment impact disclosures  
10 certified by the secretary of state and the serial numbers and short  
11 descriptions of measures for an advisory vote of the people. They  
12 must appear under separate headings in the order of the serial  
13 numbers as follows:

- 14 (1) Initiatives to the people;
- 15 (2) Referendum measures;
- 16 (3) Referendum bills;
- 17 (4) Initiatives to the legislature;
- 18 (5) Initiatives to the legislature and legislative alternatives;
- 19 (6) Advisory votes;
- 20 (7) Proposed constitutional amendments.

21 **Sec. 5.** RCW 29A.72.025 and 2009 c 415 s 7 are each amended to  
22 read as follows:

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

37 A fiscal impact statement must describe any projected increase or  
38 decrease in revenues, costs, expenditures, or indebtedness that the

1 state or local governments will experience if the ballot measure were  
2 approved by state voters. Where appropriate, a fiscal impact  
3 statement may include both estimated dollar amounts and a description  
4 placing the estimated dollar amounts into context. A fiscal impact  
5 statement must include both a summary of not to exceed one hundred  
6 words and a more detailed statement that includes the assumptions  
7 that were made to develop the fiscal impacts.

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

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12 On page 1, line 4 of the title, after "revenue;" strike the  
13 remainder of the title and insert "amending RCW 29A.72.050,  
14 29A.72.290, and 29A.72.025; adding a new section to chapter 29A.72  
15 RCW; and creating a new section."

EFFECT: Moves deadline for OFM to prepare fiscal impact  
statements on ballot measures to July 31st instead of July 25th.

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