
HOUSE BILL 1272

State of Washington

68th Legislature

2023 Regular Session

By Representatives Bergquist, Volz, Reeves, Gregerson, Christian, Riccelli, and Schmidt

Read first time 01/12/23. Referred to Committee on State Government & Tribal Relations.

1 AN ACT Relating to publishing, formatting, and distribution of
2 the state and local voters' pamphlets; 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, and 29A.32.280; and providing an
6 effective date.

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

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

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

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

19 The secretary of state may make the material required to be
20 distributed by this chapter available to the public in electronic
21 form. The secretary of state may provide the material in electronic

1 form to (~~computer bulletin boards~~) web based, print, and broadcast
2 news media(~~(community computer networks)~~) and similar services at
3 the cost of reproduction or transmission of the data.

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

6 No person or entity may publish or distribute any campaign
7 material that is deceptively similar in design or appearance to a
8 voters' pamphlet that was published by the secretary of state during
9 the (~~ten~~) 10-year period before the publication or distribution of
10 the campaign material by the person or entity. The secretary of state
11 shall take reasonable measures to prevent or to stop violations of
12 this section. Such measures may include, among others, petitioning
13 the superior court for a temporary restraining order or other
14 appropriate injunctive relief. In addition, the secretary may request
15 the superior court to impose a civil fine on a violator of this
16 section. The court is authorized to levy on and recover from each
17 violator a civil fine not to exceed the greater of: (1) (~~Two~~
18 ~~dollars~~) \$5 for each copy of the deceptive material distributed, or
19 (2) (~~one thousand dollars~~) \$10,000. In addition, the violator is
20 liable for the state's legal expenses and other costs resulting from
21 the violation. Any funds recovered under this section must be
22 transmitted to the state treasurer for deposit in the general fund.

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

25 The voters' pamphlet published or distributed under RCW
26 29A.32.010 must contain:

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

30 (2) In even-numbered years, statements, if submitted, from
31 candidates for the office of president and vice president of the
32 United States, United States senator, United States representative,
33 governor, lieutenant governor, secretary of state, state treasurer,
34 state auditor, attorney general, commissioner of public lands,
35 superintendent of public instruction, insurance commissioner, state
36 senator, state representative, justice of the supreme court, judge of
37 the court of appeals, or judge of the superior court. Candidates may
38 also submit campaign contact information and a photograph not more

1 than five years old in a format that the secretary of state
2 determines to be suitable for reproduction in the voters' pamphlet;

3 (3) In odd-numbered years, ((if)) statements, if submitted, from
4 candidates for any office ((voted upon statewide)) listed in
5 subsection (2) of this section that appears on the ballot due to a
6 vacancy((, then statements and photographs for candidates for any
7 vacant office listed in subsection (2) of this section must appear)).
8 Candidates may also submit campaign contact information and a
9 photograph not more than five years old in a format that the
10 secretary of state determines to be suitable for reproduction in the
11 voters' pamphlet;

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

20 (5) Contact information for major political parties;

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

23 (7) A list of all student engagement hubs as designated under RCW
24 29A.40.180; and

25 (8) Any additional information pertaining to elections as may be
26 required by law or in the judgment of the secretary of state is
27 deemed informative to the voters.

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

30 Committees shall write and submit arguments advocating the
31 approval or rejection of each statewide ballot issue and rebuttals of
32 those arguments. The secretary of state, the presiding officer of the
33 senate, and the presiding officer of the house of representatives
34 shall appoint the initial two members of each committee. In making
35 these committee appointments the secretary of state and presiding
36 officers of the senate and house of representatives shall consider
37 legislators, sponsors of initiatives and referendums, and other
38 interested groups known to advocate or oppose the ballot measure.

1 Committees must have the explanatory and fiscal impact statements
2 available before preparing their arguments.

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

6 After the committee submits its initial argument statements to
7 the secretary of state, the secretary of state shall transmit the
8 statements to the opposite committee. The opposite committee may then
9 prepare rebuttal arguments. Rebuttals may not interject new points.

10 The voters' pamphlet may contain only text argument statements
11 prepared according to this section. (~~Arguments may contain graphs~~
12 ~~and charts supported by factual statistical data and pictures or~~
13 ~~other illustrations. Cartoons~~) Graphs, charts, photographs,
14 cartoons, or caricatures are not permitted.

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

17 The secretary of state shall determine the format and layout of
18 the voters' pamphlet published under RCW 29A.32.010. The secretary of
19 state shall print the pamphlet in clear, readable type on a size,
20 quality, and weight of paper that in the judgment of the secretary of
21 state best serves the voters. The pamphlet must contain a table of
22 contents. Measures and arguments must be printed in the order
23 specified by RCW 29A.72.290.

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

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

33 (1) The legal identification of the measure by serial designation
34 or number;

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

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

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

- 1 (5) The fiscal impact statement prepared under RCW 29A.72.025;
- 2 (6) The total number of votes cast for and against the measure in
3 the senate and house of representatives, if the measure has been
4 passed by the legislature;
- 5 (7) An argument advocating the voters' approval of the measure
6 together with any statement in rebuttal of the opposing argument;
- 7 (8) An argument advocating the voters' rejection of the measure
8 together with any statement in rebuttal of the opposing argument;
- 9 (9) Each argument or rebuttal statement must be followed by the
10 names of the committee members who submitted them, and may be
11 followed by a telephone number that citizens may call to obtain
12 information on the ballot measure;
- 13 (10) The full text of the measure;
- 14 (11) (~~Two pages~~) Adequate space shall be provided in the
15 general election voters' pamphlet for each measure for an advisory
16 vote of the people under RCW 43.135.041 and shall consist of the
17 serial number assigned by the secretary of state under RCW
18 29A.72.040, the short description formulated by the attorney general
19 under RCW 29A.72.283, the tax increase's most up-to-date ten-year
20 cost projection, including a year-by-year breakdown, by the office of
21 financial management under RCW 43.135.031, and the names of the
22 legislators, and their contact information, and (~~how they voted on~~
23 ~~the increase~~) their vote upon final passage (~~so they can provide~~
24 ~~information to, and answer questions from, the public~~). For the
25 purposes of this subsection, "names of legislators, and their contact
26 information" includes each legislator's position (senator or
27 representative), first name, last name, party affiliation (~~for~~
28 ~~example, Democrat or Republican~~), ~~city or town they live in, office~~
29 ~~phone number~~) of the legislator's legislative caucus, and office
30 email address.

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

- 33 (1) (~~If~~) All statements, arguments, and photographs submitted
34 are subject to review and approval, and must conform to the criteria
35 in this section. A statement or photograph may be rejected if in the
36 opinion of the secretary of state any argument or statement offered
37 for inclusion in the voters' pamphlet in support of or opposition to
38 a measure or candidate does not comply with the standards contained
39 in this section or administrative rules or contains obscene matter or

1 matter that is otherwise prohibited by law from distribution through
2 the mail(~~(7)~~). A person or committee that has submitted a statement
3 or photograph rejected by the secretary may edit their statement or
4 petition the superior court of Thurston county for a judicial
5 determination that the photograph, argument, or statement (~~may be~~
6 rejected) complies with the standards and is acceptable for
7 publication (~~or edited to delete the matter~~). The court shall not
8 enter such an order unless it concludes that the matter is compliant,
9 not obscene, or not otherwise prohibited for distribution through the
10 mail.

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

12 (a) Those about the candidate;

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

14 (c) Direction on where to find more information about the
15 candidate.

16 (3) Candidate statements may not:

17 (a) Ask for contributions; or

18 (b) Make commercial solicitations.

19 (4) Statements and arguments submitted in support of or
20 opposition to a measure, or in reply to the opposing statement, may
21 not:

22 (a) Ask for contributions; or

23 (b) Make commercial solicitations.

24 (5) A (~~candidate's~~) statement submitted for inclusion in the
25 voters' pamphlet shall not contain false or misleading statements
26 (~~about the candidate's opponent~~). A false or misleading statement
27 shall be considered "libel or defamation per se" if the statement
28 tends to expose the (~~candidate~~) opposition to hatred, contempt,
29 ridicule, or obloquy, or to deprive him or her of the benefit of
30 public confidence or social intercourse, or to injure him or her in
31 his or her business or occupation. If a candidate believes his or her
32 opponent has libeled or defamed him or her, the candidate may
33 commence an action under subsection (~~(3)~~) (6) of this section.

34 (~~(3)~~) (6)(a) A person who believes that he or she may be
35 defamed by an argument or statement offered for inclusion in the
36 voters' pamphlet in support of or opposition to a measure or
37 candidate may petition the superior court of Thurston county for a
38 judicial determination that the argument or statement may be rejected
39 for publication or edited to delete the defamatory statement.

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

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

7 (d) If the secretary of state notifies a person named or
8 identified in an argument or statement of the contents of the
9 argument or statement within three days after the deadline for
10 submission to the secretary, then neither the state nor the secretary
11 is liable for damages resulting from publication of the argument or
12 statement unless the secretary publishes the argument or statement in
13 violation of an order entered under this section. Nothing in this
14 section creates a duty on the part of the secretary of state to
15 identify, locate, or notify the person.

16 (~~((4))~~) (7) Parties to a dispute under this section may agree to
17 resolve the dispute by rephrasing the argument or statement, even if
18 the deadline for submission to the secretary has elapsed, unless the
19 secretary determines that the process of publication is too far
20 advanced to permit the change. The secretary shall promptly provide
21 any such revision to any committee entitled to submit a rebuttal
22 argument. If that committee has not yet submitted its rebuttal, its
23 deadline to submit a rebuttal is extended by five days. If it has
24 submitted a rebuttal, it may revise it to address the change within
25 five days of the filing of the revised argument with the secretary.

26 (~~((5))~~) (8) In an action under this section the committee or
27 candidate must be named as a defendant, and may be served with
28 process by certified mail directed to the address contained in the
29 secretary's records for that party. The secretary of state shall be a
30 nominal party to an action brought under subsection (~~((3))~~) (6) of
31 this section, solely for the purpose of determining the content of
32 the voters' pamphlet. The superior court shall give such an action
33 priority on its calendar.

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

36 All photographs of candidates submitted for publication must
37 conform to standards established by the secretary of state by rule.
38 No photograph may reveal clothing or insignia suggesting the holding

1 of a public office. No photograph may include hats, buttons, or
2 clothing showing words, insignia, or symbols.

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

5 (1) The maximum number of words for statements submitted by
6 candidates is as follows: State representative, (~~one hundred~~) 100
7 words; state senator, judge of the superior court, judge of the court
8 of appeals, justice of the supreme court, and all state offices voted
9 upon throughout the state, except that of governor, (~~two hundred~~)
10 200 words; president and vice president, United States senator,
11 United States representative, and governor, (~~three hundred~~) 300
12 words.

13 (2) Arguments written by committees under RCW 29A.32.060 may not
14 exceed (~~two hundred fifty~~) 250 words in length.

15 (3) Rebuttal arguments written by committees may not exceed
16 (~~seventy-five~~) 75 words in length.

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

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

22 Before any primary or general election, or any special election
23 held under RCW 29A.04.321 or 29A.04.330, each county auditor shall
24 print and distribute a local voters' pamphlet. The pamphlet shall
25 provide information on all measures and candidates appearing on
26 ballots within that (~~jurisdiction~~) county. The format of any local
27 voters' pamphlet shall, whenever applicable, comply with the
28 provisions of this chapter regarding the publication of the state
29 candidates' and voters' pamphlets.

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

32 (1) Not later than (~~ninety~~) 90 days before the publication and
33 distribution of a local voters' pamphlet by a county, the county
34 auditor shall notify each city, town, or special taxing district
35 (~~located wholly~~) with issues or offices appearing on ballots within
36 that county that a pamphlet will be produced.

1 (2) ~~((If a))~~ All voters' (~~pamphlet is~~) pamphlets published by
2 the county ~~((for a primary or general election, the pamphlet shall be~~
3 ~~published for))~~ pursuant to RCW 29A.32.210 must include the elective
4 offices and ballot measures of the county and ~~((for))~~ the elective
5 offices and ballot measures of each unit of local government
6 ~~((located entirely))~~ within the county which will appear on the
7 ballot at that primary or election. ~~((However, the offices and~~
8 ~~measures of a first-class or code city shall not be included in the~~
9 ~~pamphlet if the city publishes and distributes its own voters'~~
10 ~~pamphlet for the primary or election for its offices and measures.~~
11 ~~The offices and measures of any other town or city are not required~~
12 ~~to appear in the county's pamphlet if the town or city is obligated~~
13 ~~by ordinance or charter to publish and distribute a voters' pamphlet~~
14 ~~for the primary or election for its offices and measures and it does~~
15 ~~so.))~~

16 If the required appearance in a county's voters' pamphlet of the
17 offices or measures of a unit of local government would create undue
18 financial hardship for the unit of government, the legislative
19 authority of the unit may petition the legislative authority of the
20 county to waive this requirement. The legislative authority of the
21 county may provide such a waiver if it does so not later than
22 ~~((sixty))~~ 60 days before the publication of the pamphlet and it finds
23 that the requirement would create such hardship.

24 (3) If a city, town, or district is located within more than one
25 county, ~~((the respective county auditors may enter into an interlocal~~
26 ~~agreement to permit the distribution of each county's local voters'~~
27 ~~pamphlet into those parts of the city, town, or district located~~
28 ~~outside of that county))~~ all appropriate information for that
29 jurisdiction must appear in the local voters' pamphlet for each of
30 the counties containing the jurisdiction. Arguments, candidate
31 statements, and photographs must be submitted to the county auditor
32 of the county that accepted any resolutions or candidate filings for
33 that jurisdiction. The auditor that receives this information shall
34 provide it to the other county auditors after reviewing and accepting
35 the submissions.

36 ~~((4) If a first-class or code city authorizes the production and~~
37 ~~distribution of a local voters' pamphlet, the city clerk of that city~~
38 ~~shall notify any special taxing district located wholly within that~~
39 ~~city that a pamphlet will be produced. Notification shall be provided~~

1 in the manner required or provided for in subsection (1) of this
2 section.

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

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

9 ~~((The))~~ (1) The secretary of state, in consultation with county
10 ~~((auditor or, if applicable, the city clerk of a first-class or code~~
11 ~~city))~~ auditors, shall ~~((, in consultation with the participating~~
12 ~~jurisdictions,))~~ adopt and publish administrative rules necessary to
13 facilitate ~~((the provisions of any ordinance authorizing))~~ production
14 of a local voters' pamphlet. ~~((Any amendment to such a rule shall~~
15 ~~also be adopted and published. Copies of the rules shall identify the~~
16 ~~date they were adopted or last amended and shall be made available to~~
17 ~~any person upon request. One copy of the rules adopted by a county~~
18 ~~auditor and one copy of any amended rules shall be submitted to the~~
19 ~~county legislative authority. One copy of the rules adopted by a city~~
20 ~~clerk and one copy of any amended rules shall be submitted to the~~
21 ~~city legislative authority.))~~ These rules shall include but not be
22 limited to the following:

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

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

27 ~~((3))~~ (b) The basis for rejection of any explanatory or
28 candidates' statement or argument deemed to be ~~((libelous or~~
29 ~~otherwise inappropriate. Any statements by a candidate shall be~~
30 ~~limited to those about the candidate himself or herself))~~
31 noncompliant with this section or administrative rules adopted in
32 accordance with this section;

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

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

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

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

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

1 (a) Those about the candidate;
2 (b) Plans and goals for the future of the jurisdiction; and
3 (c) Direction on where to find more information about the
4 candidate.

5 (3) Candidate statements may not:

6 (a) Ask for contributions; or

7 (b) Make commercial solicitations.

8 (4) Statements and arguments submitted in support of or
9 opposition to a measure, or in reply to the opposing statement, may
10 not:

11 (a) Ask for contributions; or

12 (b) Make commercial solicitations.

13 (5) The county auditor shall adopt and publish local
14 administrative rules necessary to facilitate production of a local
15 voters' pamphlet. Copies of the rules must identify the date they
16 were adopted or last amended and must be made available to any person
17 upon request.

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

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

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

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

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

29 (d) Candidate statements and photographs;

30 (e) The text of each measure accompanied by an explanatory
31 statement prepared by the prosecuting attorney for any county measure
32 or by the attorney for the jurisdiction submitting the measure if
33 other than a county measure. All explanatory statements for city,
34 town, or district measures not approved by the attorney for the
35 jurisdiction submitting the measure shall be reviewed and approved by
36 the county prosecuting attorney or city attorney, when applicable,
37 before inclusion in the pamphlet;

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

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

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

7 (2) The county auditor's name may not appear in the local voters'
8 pamphlet in (~~his or her~~) an official capacity if the county auditor
9 is a candidate for office during the same year. (~~His or her~~) The
10 auditor's name may only be included as part of the information
11 normally included for candidates.

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

14 (~~If the legislative authority of a county or first-class or code~~
15 ~~city provides for the inclusion of candidates in the local voters'~~
16 ~~pamphlet, the pamphlet)~~ Local voters' pamphlets shall include
17 (~~the~~) candidate statements (~~from candidates~~) accepted by the
18 county auditor and may also include (~~these~~) candidates' photographs
19 accepted by the county auditor.

20 **Sec. 14.** RCW 29A.32.260 and 2022 c 193 s 2 are each amended to
21 read as follows:

22 As soon as practicable before the primary, special election, or
23 general election, the county auditor(~~, or if applicable, the city~~
24 ~~clerk of a first-class or code city, as appropriate,~~) shall mail the
25 local voters' pamphlet to every residence in each jurisdiction (~~that~~
26 ~~has included information~~) within the county that is participating in
27 the associated primary or election and for which election information
28 is included in the pamphlet. The county auditor (~~or city clerk, as~~
29 ~~appropriate,~~) may choose to mail the pamphlet to each registered
30 voter in each jurisdiction (~~that has included information in the~~
31 ~~pamphlet~~) within the county that is participating in the associated
32 primary or election and for which election information is included in
33 the pamphlet, if in (~~his or her~~) the auditor's judgment, a more
34 economical and effective distribution of the pamphlet would result.
35 The county auditor shall either mail or send a printable electronic
36 version of the state and local voters' pamphlets to any service or
37 overseas voter registered in the jurisdiction who has requested them.

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

3 (1) For each measure from a unit of local government ((that is))
4 included in a local voters' pamphlet, the legislative authority of
5 that jurisdiction shall, not later than the resolution deadline,
6 formally appoint a committee to prepare arguments advocating voters'
7 approval of the measure and shall formally appoint a committee to
8 prepare arguments advocating voters' rejection of the measure.

9 (2) The authority shall appoint persons that reside within the
10 jurisdictional boundaries and are known to favor the measure to serve
11 on the committee advocating approval and shall, whenever possible,
12 appoint persons that reside within the jurisdictional boundaries and
13 are known to oppose the measure to serve on the committee advocating
14 rejection.

15 (3) Each committee shall have not more than three members,
16 however, a committee may seek the advice of any person or persons.

17 (4) If the legislative authority of a unit of local government
18 fails to make such appointments by the prescribed deadline, the
19 county auditor shall ((whenever possible make the appointments))
20 issue a media release and publish information on the auditor's
21 election website announcing the opportunity to form committees and
22 provide statements. If the legislative authority fails to make
23 appointments, the auditor shall make appointments on a first-come,
24 first-served basis if qualified committee members contact the auditor
25 by the appropriate deadline.

26 (5) If no statement is produced, the auditor shall include a
27 statement in the pamphlet stating that the district failed to make
28 appointments and there are no statements for that measure.

29 NEW SECTION. **Sec. 16.** This act takes effect January 1, 2024.

--- END ---