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**SENATE BILL 5850**

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**State of Washington**

**67th Legislature**

**2022 Regular Session**

**By** Senators Frockt and Kuderer

1 AN ACT Relating to public services impact disclosures in ballot  
2 titles; amending RCW 29A.72.050 and 29A.72.290; and adding a new  
3 section to chapter 29A.72 RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 29A.72  
6 RCW to read as follows:

7 (1) For any initiative or referendum that repeals or changes any  
8 tax or fee, including changing the scope or application of an  
9 existing tax or fee, such that there is a net decrease in state  
10 revenue, a public services impact disclosure shall appear on the  
11 ballot.

12 (2) The public services impact disclosure shall include a  
13 description of services. The description of services shall be a high-  
14 level description of the primary categories of state services  
15 negatively fiscally impacted by the measure. The description shall be  
16 sufficiently broad to reflect the subject of the primary state  
17 services impacted, sufficiently precise to give notice of the  
18 specific subject matter of the state services impacted, and not  
19 exceed 10 words. If the fiscal impact falls primarily on the general  
20 fund, then the description of services may not exceed 15 words and

1 shall list the top three categories of state services funded by the  
2 general fund in the current state budget.

3 (3) The attorney general shall be responsible for drafting the  
4 public services impact disclosure using neutral language that does  
5 not create prejudice for or against the measure. The attorney  
6 general's language is not subject to appeal. The public services  
7 impact disclosure shall appear on the ballot substantially as  
8 follows:

9 "This measure would reduce funding for (description of  
10 services)."

11 (4) The attorney general shall formulate the public services  
12 impact disclosure for an initiative or referendum no later than five  
13 business days after the office of financial management files the  
14 fiscal impact statement for the initiative or referendum with the  
15 secretary of state pursuant to RCW 29A.72.025.

16 (5) In determining whether subsection (1) of this section is met  
17 and in drafting the public services impact disclosure, the attorney  
18 general may rely on the filed fiscal impact statement and may consult  
19 with the office of financial management, the secretary of state, and  
20 any other state or local agencies as necessary.

21 (6) Upon completion, the attorney general shall transmit the  
22 public services impact disclosure to the secretary of state.

23 (7) The secretary of state shall certify the public services  
24 impact disclosure and timely transmit it to each county auditor to  
25 ensure inclusion on the ballot.

26 (8) Public services impact disclosures are not subject to the  
27 ballot title and petition provisions of this chapter. However, public  
28 services impact disclosures must appear on the ballot in the location  
29 prescribed in RCW 29A.72.050.

30 **Sec. 2.** RCW 29A.72.050 and 2003 c 111 s 1806 are each amended to  
31 read as follows:

32 (1) The ballot title for an initiative to the people, an  
33 initiative to the legislature, a referendum bill, or a referendum  
34 measure consists of: (a) A statement of the subject of the measure;  
35 (b) a concise description of the measure; and (c) a question in the  
36 form prescribed in this section for the ballot measure in question.  
37 The statement of the subject of a measure must be sufficiently broad  
38 to reflect the subject of the measure, sufficiently precise to give  
39 notice of the measure's subject matter, and not exceed ten words. The

1 concise description must contain no more than thirty words, be a true  
2 and impartial description of the measure's essential contents,  
3 clearly identify the proposition to be voted on, and not, to the  
4 extent reasonably possible, create prejudice either for or against  
5 the measure. For initiatives and referenda that require a public  
6 services impact disclosure under section 1 of this act, the public  
7 services impact disclosure must appear on the ballot after the  
8 concise description and before the question.

9 (2) For an initiative to the people, or for an initiative to the  
10 legislature for which the legislature has not proposed an  
11 alternative, the ballot title and public services impact disclosure  
12 must be displayed on the ballot substantially as follows:

13 "Initiative Measure No. . . . concerns (statement of  
14 subject). This measure would (concise description). (Public  
15 services impact disclosure, if applicable). Should this  
16 measure be enacted into law?

- 17 Yes . . . . .   
18 No . . . . .

19 (3) For an initiative to the legislature for which the  
20 legislature has proposed an alternative, the ballot title and public  
21 services impact disclosure must be displayed on the ballot  
22 substantially as follows:

23 "Initiative Measure Nos. . . . and . . .B concern (statement  
24 of subject).

25 Initiative Measure No. . . . would (concise description).  
26 (Public services impact disclosure, if applicable).

27 As an alternative, the legislature has proposed Initiative  
28 Measure No. . . .B, which would (concise description).  
29 (Public services impact disclosure, if applicable).

30 1. Should either of these measures be enacted into law?

- 31 Yes . . . . .   
32 No . . . . .

33 2. Regardless of whether you voted yes or no above, if one of  
34 these measures is enacted, which one should it be?

1 Measure No. . . . .

2 or

3 Measure No. . . . .

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

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

11 Approved . . . . .

12 Rejected . . . . .

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

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

21 Approved . . . . .

22 Rejected . . . . .

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

31 The attorney general shall specify the statement of subject and  
32 concise description for an initiative to the people, an initiative to  
33 the legislature, and a referendum measure. The statement of subject  
34 and concise description as so provided must be included as part of  
35 the ballot title unless changed on appeal.

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

3       The county auditor of each county shall print on the official  
4 ballots for the election at which initiative and referendum measures  
5 and measures for an advisory vote of the people are to be submitted  
6 to the people for their approval or rejection, the serial numbers, public services impact disclosures, and ballot titles certified by  
7 the secretary of state and the serial numbers and short descriptions  
8 of measures for an advisory vote of the people. They must appear  
9 under separate headings in the order of the serial numbers as  
10 follows:  
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- 12       (1) Initiatives to the people;
- 13       (2) Referendum measures;
- 14       (3) Referendum bills;
- 15       (4) Initiatives to the legislature;
- 16       (5) Initiatives to the legislature and legislative alternatives;
- 17       (6) Advisory votes;
- 18       (7) Proposed constitutional amendments.

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