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**SENATE BILL 5224**

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**State of Washington**

**66th Legislature**

**2019 Regular Session**

**By** Senators Kuderer, Hunt, Takko, Keiser, Nguyen, Darneille, Das, Wellman, Saldaña, McCoy, Hasegawa, and Pedersen

Read first time 01/16/19. Referred to Committee on State Government, Tribal Relations & Elections.

1 AN ACT Relating to advisory votes; amending RCW 29A.32.031,  
2 29A.32.070, 29A.64.090, 29A.72.040, 29A.72.250, and 29A.72.290; and  
3 repealing RCW 29A.72.283, 29A.72.285, and 43.135.041.

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

5 **Sec. 1.** RCW 29A.32.031 and 2013 c 283 s 2 are each amended to  
6 read as follows:

7 The voters' pamphlet published or distributed under RCW  
8 29A.32.010 must contain:

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

12 ~~(2))~~) In even-numbered years, statements, if submitted, from  
13 candidates for the office of president and vice president of the  
14 United States, United States senator, United States representative,  
15 governor, lieutenant governor, secretary of state, state treasurer,  
16 state auditor, attorney general, commissioner of public lands,  
17 superintendent of public instruction, insurance commissioner, state  
18 senator, state representative, justice of the supreme court, judge of  
19 the court of appeals, or judge of the superior court. Candidates may  
20 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))~~ (2) In odd-numbered years, if any office voted upon  
4 statewide appears on the ballot due to a vacancy, then statements and  
5 photographs for candidates for any vacant office listed in subsection  
6 ~~((2))~~ (1) of this section must appear;

7 ~~((4))~~ (3) Contact information for the public disclosure  
8 commission established under RCW 42.17A.100, including the following  
9 statement: "For a list of the people and organizations that donated  
10 to state and local candidates and ballot measure campaigns, visit  
11 [www.pdc.wa.gov](http://www.pdc.wa.gov)." The statement must be placed in a prominent  
12 position, such as on the cover or on the first two pages of the  
13 voters' pamphlet. The secretary of state may substitute such language  
14 as is necessary for accuracy and clarity and consistent with the  
15 intent of this section;

16 ~~((5))~~ (4) Contact information for major political parties;

17 ~~((6))~~ (5) A brief statement explaining the deletion and  
18 addition of language for proposed measures under RCW 29A.32.080; and

19 ~~((7))~~ (6) Any additional information pertaining to elections as  
20 may be required by law or in the judgment of the secretary of state  
21 is deemed informative to the voters.

22 **Sec. 2.** RCW 29A.32.070 and 2016 c 83 s 1 are each amended to  
23 read as follows:

24 The secretary of state shall determine the format and layout of  
25 the voters' pamphlet published under RCW 29A.32.010. The secretary of  
26 state shall print the pamphlet in clear, readable type on a size,  
27 quality, and weight of paper that in the judgment of the secretary of  
28 state best serves the voters. The pamphlet must contain a table of  
29 contents. Measures and arguments must be printed in the order  
30 specified by RCW 29A.72.290.

31 The secretary of state's name may not appear in the voters'  
32 pamphlet in his or her official capacity if the secretary is a  
33 candidate for office during the same year. His or her name may only  
34 be included as part of the information normally included for  
35 candidates.

36 The voters' pamphlet must provide the following information for  
37 each statewide issue on the ballot (~~except measures for an advisory  
38 vote of the people whose requirements are provided in subsection (11)  
39 of this section~~):

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

36 **Sec. 3.** RCW 29A.64.090 and 2016 c 204 s 1 are each amended to  
37 read as follows:

38 When the official canvass of returns of any election reveals that  
39 the difference in the number of votes cast for the approval of a

1 statewide measure and the number of votes cast for the rejection of  
2 such measure is less than two thousand votes and also less than one-  
3 half of one percent of the total number of votes cast on such  
4 measure, the secretary of state shall direct that a recount of all  
5 votes cast on such measure be made on such measure, in the manner  
6 provided by RCW 29A.64.041 and 29A.64.061, and the cost of such  
7 recount will be at state expense. (~~This section does not apply to~~  
8 ~~any statewide advisory vote of the people that was placed on the~~  
9 ~~ballot pursuant to RCW 43.135.041 and the secretary of state shall~~  
10 ~~not direct any recount for any statewide advisory vote of the~~  
11 ~~people.~~)

12 **Sec. 4.** RCW 29A.72.040 and 2008 c 1 s 7 are each amended to read  
13 as follows:

14 The secretary of state shall give a serial number to each  
15 initiative, referendum bill, or referendum measure, (~~or measure for~~  
16 ~~an advisory vote of the people,~~) using a separate series for  
17 initiatives to the legislature, initiatives to the people, referendum  
18 bills, and referendum measures, (~~and measures for an advisory vote~~  
19 ~~of the people,~~) and forthwith transmit one copy of the measure  
20 proposed bearing its serial number to the attorney general.  
21 Thereafter a measure shall be known and designated on all petitions,  
22 ballots, and proceedings as "Initiative Measure No. . . . .,"  
23 "Referendum Bill No. . . . .," or "Referendum Measure No. . . . .  
24 (~~r~~).)" (~~or "Advisory Vote No. . . . ."~~)

25 **Sec. 5.** RCW 29A.72.250 and 2013 c 11 s 75 are each amended to  
26 read as follows:

27 If a referendum or initiative petition for submission of a  
28 measure to the people is found sufficient, the secretary of state  
29 shall at the time and in the manner that he or she certifies to the  
30 county auditors of the various counties the names of candidates for  
31 state and district officers certify to each county auditor the serial  
32 numbers and ballot titles of the several initiative and referendum  
33 measures (~~and serial numbers and short descriptions of measures~~  
34 ~~submitted for an advisory vote of the people~~) to be voted upon at  
35 the next ensuing general election or special election ordered by the  
36 legislature.

1       **Sec. 6.** 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 the serial numbers  
4 and ballot titles certified by the secretary of state on the official  
5 ballots for the election at which initiative and referendum measures  
6 (~~(and measures for an advisory vote of the people)~~) are to be  
7 submitted to the people for their approval or rejection(~~(, the serial~~  
8 ~~numbers and ballot titles certified by the secretary of state and the~~  
9 ~~serial numbers and short descriptions of measures for an advisory~~  
10 ~~vote of the people)~~). They must appear under separate headings in the  
11 order of the serial numbers as follows:

- 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.

19       NEW SECTION.   **Sec. 7.** The following acts or parts of acts are  
20 each repealed:

- 21       (1) RCW 29A.72.283 (Advisory vote on tax legislation—Short  
22 description) and 2008 c 1 s 8;
- 23       (2) RCW 29A.72.285 (Advisory vote on tax legislation—Short  
24 description filing and transmittal) and 2008 c 1 s 9; and
- 25       (3) RCW 43.135.041 (Tax legislation—Advisory vote—Duties of the  
26 attorney general and secretary of state—Exemption) and 2013 c 1 s 6,  
27 2016 c 1 s 5, 2010 c 4 s 3, & 2008 c 1 s 6.

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