

# Multiple Agency Fiscal Note Summary

<b>Bill Number:</b> 1272 2S HB	<b>Title:</b> Voters' pamphlets
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## Estimated Cash Receipts

NONE

Agency Name	2023-25		2025-27		2027-29	
	GF- State	Total	GF- State	Total	GF- State	Total
Local Gov. Courts	No fiscal impact					
Loc School dist-SPI						
Local Gov. Other						
Local Gov. Total						

## Estimated Operating Expenditures

Agency Name	2023-25				2025-27				2027-29			
	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total
Administrative Office of the Courts	.0	0	0	0	.0	0	0	0	.0	0	0	0
Office of the Secretary of State	2.0	450,592	450,592	450,592	2.0	430,592	430,592	430,592	2.0	430,592	430,592	430,592
<b>Total \$</b>	<b>2.0</b>	<b>450,592</b>	<b>450,592</b>	<b>450,592</b>	<b>2.0</b>	<b>430,592</b>	<b>430,592</b>	<b>430,592</b>	<b>2.0</b>	<b>430,592</b>	<b>430,592</b>	<b>430,592</b>

Agency Name	2023-25			2025-27			2027-29		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Courts	No fiscal impact								
Loc School dist-SPI									
Local Gov. Other	Non-zero but indeterminate cost and/or savings. Please see discussion.								
Local Gov. Total									

## Estimated Capital Budget Expenditures

Agency Name	2023-25			2025-27			2027-29		
	FTEs	Bonds	Total	FTEs	Bonds	Total	FTEs	Bonds	Total
Administrative Office of the Courts	.0	0	0	.0	0	0	.0	0	0
Office of the Secretary of State	.0	0	0	.0	0	0	.0	0	0
<b>Total \$</b>	<b>0.0</b>	<b>0</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0</b>

Agency Name	2023-25			2025-27			2027-29		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Courts	No fiscal impact								
Loc School dist-SPI									
Local Gov. Other	Non-zero but indeterminate cost and/or savings. Please see discussion.								
Local Gov. Total									

## Estimated Capital Budget Breakout

NONE

<b>Prepared by:</b> Gwen Stamey, OFM	<b>Phone:</b> (360) 790-1166	<b>Date Published:</b> Final 3/14/2023
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# Judicial Impact Fiscal Note

<b>Bill Number:</b> 1272 2S HB	<b>Title:</b> Voters' pamphlets	<b>Agency:</b> 055-Administrative Office of the Courts
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## Part I: Estimates

**No Fiscal Impact**

**Estimated Cash Receipts to:**

NONE

**Estimated Expenditures from:**

NONE

**Estimated Capital Budget Impact:**

NONE

*The revenue and expenditure estimates on this page represent the most likely fiscal impact. Responsibility for expenditures may be subject to the provisions of RCW 43.135.060.*

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note for Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.

Legislative Contact: Jackie Wheeler	Phone: 360-786-7125	Date: 03/07/2023
Agency Preparation: Angie Wirkkala	Phone: 360-704-5528	Date: 03/07/2023
Agency Approval: Chris Stanley	Phone: 360-357-2406	Date: 03/07/2023
OFM Review: Gaius Horton	Phone: (360) 819-3112	Date: 03/09/2023

185,848.00

Request # 242-1

## Part II: Narrative Explanation

### II. A - Brief Description Of What The Measure Does That Has Fiscal Impact on the Courts

No change in fiscal impact is expected from the second substitute bill.

This bill relates to the publishing, formatting, and distribution of the state and local voters' pamphlets by amending RCW 29A.32.

### II. B - Cash Receipts Impact

None

### II. C - Expenditures

No fiscal impact is expected to the Administrative Office of the Courts and minimal, if any, court impact.

This bill outlines requirements for the content of a candidates' statements and arguments and contains technical changes to the Voters' Pamphlet statute.

## Part III: Expenditure Detail

### III. A - Expenditure By Object or Purpose (State)

NONE

### III. B - Expenditure By Object or Purpose (County)

NONE

### III. C - Expenditure By Object or Purpose (City)

NONE

### III. D - FTE Detail

NONE

### III. E - Expenditures By Program (optional)

NONE

## Part IV: Capital Budget Impact

### IV. A - Capital Budget Expenditures

NONE

### IV. B1 - Expenditures by Object Or Purpose (State)

NONE

### IV. B2 - Expenditures by Object Or Purpose (County)

NONE

### IV. B3 - Expenditures by Object Or Purpose (City)

NONE

### IV. C - Capital Budget Breakout

*Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.*

NONE

185,848.00

Form FN (Rev 1/00)

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 1272 2S HB	<b>Title:</b> Voters' pamphlets	<b>Agency:</b> 085-Office of the Secretary of State
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## Part I: Estimates

**No Fiscal Impact**

### Estimated Cash Receipts to:

NONE

### Estimated Operating Expenditures from:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	2.0	2.0	2.0	2.0	2.0
<b>Account</b>					
General Fund-State      001-1	235,296	215,296	450,592	430,592	430,592
<b>Total \$</b>	235,296	215,296	450,592	430,592	430,592

### Estimated Capital Budget Impact:

NONE

*The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.*

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Jackie Wheeler	Phone: 360-786-7125	Date: 03/07/2023
Agency Preparation: Mike Woods	Phone: (360) 704-5215	Date: 03/09/2023
Agency Approval: Mike Woods	Phone: (360) 704-5215	Date: 03/09/2023
OFM Review: Gwen Stamey	Phone: (360) 790-1166	Date: 03/09/2023

## Part II: Narrative Explanation

### II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

*Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.*

Changes in 2SHB 1272 compared to the previous version (HB 1272):

There are minor changes in Section 5(11) regarding information about legislators.

Section 6 now provides that a person or committee who receives a court order overturning a determination by the Secretary of State that the candidate or ballot measure statement did not comply with legal standards may be awarded attorney's fees and costs.

These changes do not affect the Office of the Secretary of State's (OSOS) original cost projections.

Summary of 2SHB 1272:

Section 1 makes minor wording changes. No impact.

Section 2 increases the fine a court may levy from \$2 to \$5 for each deceptive material that is distributed. No impact.

Section 3 provides clarification that any federal, statewide, legislative, or certain judicial offices that would appear in the Statewide Voter Pamphlet in an even-year would also appear in the Voter Pamphlet in an odd year. It also removes "on the cover" as a possible location for the Public Disclosure Contact information. No impact.

Section 4 adds graphs, charts, and photographs to the items not permitted. No impact.

Section 5 makes minor wording changes. No Impact.

Section 6 adds authority that the Secretary of State may make an administrative decision to reject a statement or photograph without petitioning the Superior Court.

Section 7 adds restrictions on what submitted photographs for inclusion in the Voter Pamphlet may include.

Section 8 makes minor word changes and adds the County Auditor as required to allocate space for federal, statewide, legislative, and certain judicial offices in the Voter Pamphlet.

Section 9 and 10 requires counties to include all measures and candidates appearing on their ballot to appear in their local Voters' Pamphlets.

Section 11 creates the authority for the Secretary of State to adopt standards to facilitate the production of local voters' pamphlets.

Section 12 adds candidate statements and photographs to list of what should be included in the local voters' pamphlets. It also removes the requirements for partisan primary elections.

Section 13 limits the statements that appear in the local voters' pamphlets to only those accepted by the County Auditor.

Section 14 limits the distribution the local voter's pamphlet to only those areas that are participating and leaves the County Auditor authority to make a decision if there is a more effective distribution of the pamphlet.

Section 15 clarifies that only those that reside in the district can be appointed to the committees writing for and against statements. It also provides clarity on what steps to take if the legislative authority of the district fails to make appointments, including a media release and publication of information on the County website.

**II. B - Cash receipts Impact**

*Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.*

**II. C - Expenditures**

*Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.*

In order to facilitate the enhanced administrative process created by Section 6 and Section 7 as well as the new standards created by Section 11 OSOS would need two FTEs (a Program Specialist 4, and a Program Coordinator) for the adoption and maintenance of standards, support the review of statements and photos, as well as assisting candidates and committees with the remediation of any rejected statements or photos. Costs for compensation, standard goods and services, travel and one time office set up costs would be \$235,296 in FY24. Ongoing costs would be \$215,296 annually thereafter.

**Part III: Expenditure Detail**

**III. A - Operating Budget Expenditures**

Account	Account Title	Type	FY 2024	FY 2025	2023-25	2025-27	2027-29
001-1	General Fund	State	235,296	215,296	450,592	430,592	430,592
<b>Total \$</b>			235,296	215,296	450,592	430,592	430,592

**III. B - Expenditures by Object Or Purpose**

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	2.0	2.0	2.0	2.0	2.0
A-Salaries and Wages	123,276	123,276	246,552	246,552	246,552
B-Employee Benefits	51,684	51,684	103,368	103,368	103,368
C-Professional Service Contracts					
E-Goods and Other Services	11,700	11,700	23,400	23,400	23,400
G-Travel	5,000	5,000	10,000	10,000	10,000
J-Capital Outlays	25,000	5,000	30,000	10,000	10,000
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements	18,636	18,636	37,272	37,272	37,272
9-					
<b>Total \$</b>	235,296	215,296	450,592	430,592	430,592

**III. C - Operating FTE Detail:** *List FTEs by classification and corresponding annual compensation. Totals need to agree with total FTEs in Part I and Part IIIA*

Job Classification	Salary	FY 2024	FY 2025	2023-25	2025-27	2027-29
Program Coordinator	48,156	1.0	1.0	1.0	1.0	1.0
Program Specialist 4	75,120	1.0	1.0	1.0	1.0	1.0
<b>Total FTEs</b>		2.0	2.0	2.0	2.0	2.0

**III. D - Expenditures By Program (optional)**

NONE

## **Part IV: Capital Budget Impact**

### **IV. A - Capital Budget Expenditures**

NONE

### **IV. B - Expenditures by Object Or Purpose**

NONE

### **IV. C - Capital Budget Breakout**

*Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.*

NONE

### **IV. D - Capital FTE Detail:** *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

## **Part V: New Rule Making Required**

*Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.*



# LOCAL GOVERNMENT FISCAL NOTE

Department of Commerce

Bill Number: 1272 2S HB

Title: Voters' pamphlets

## Part I: Jurisdiction-Location, type or status of political subdivision defines range of fiscal impacts.

### Legislation Impacts:

- Cities: Indeterminate cost to appoint persons to write arguments
- Counties: Indeterminate cost to appoint persons to write arguments; Indeterminate changes to voter pamphlet costs for County Auditors
- Special Districts: Indeterminate cost to appoint persons to write arguments
- Specific jurisdictions only:
- Variance occurs due to:

## Part II: Estimates

- No fiscal impacts.
- Expenditures represent one-time costs:
- Legislation provides local option:
- Key variables cannot be estimated with certainty at this time: Reductions or additions to voter pamphlets; cost of appointing persons to write arguments

### Estimated revenue impacts to:

None

### Estimated expenditure impacts to:

Non-zero but indeterminate cost and/or savings. Please see discussion.

## Part III: Preparation and Approval

Fiscal Note Analyst: Allan Johnson	Phone: 360-725-5033	Date: 03/14/2023
Leg. Committee Contact: Jackie Wheeler	Phone: 360-786-7125	Date: 03/07/2023
Agency Approval: Alice Zillah	Phone: 360-725-5035	Date: 03/14/2023
OFM Review: Gwen Stamey	Phone: (360) 790-1166	Date: 03/14/2023

## **Part IV: Analysis**

### **A. SUMMARY OF BILL**

*Description of the bill with an emphasis on how it impacts local government.*

This analysis compares 2SHB 1272 with the analysis of the original version of HB 1272.

#### **SUMMARY BETWEEN ORIGINAL VERSION AND CURRENT BILL VERSION:**

The primary change affecting local governments would be the provision that directs county auditors to appoint writers of for or against statements when a local jurisdiction misses the deadline to appoint writers.

#### **SUMMARY OF CURRENT BILL:**

This legislation would restrict the submittal of for and against arguments for the voter's pamphlet to residents within living within the jurisdictional boundaries. Appointments to write statements would come from the jurisdiction, however, if the legislative authority of the jurisdiction misses the deadline for appointments, the County Auditor would appoint writers or indicate circumstances when no statement is produced.

Fines for publishing deceptive material similar to a voter's pamphlet would be increased. Any person or committee receiving a court order overturning a determination by the Secretary of State (SOS) regarding a candidate or ballot measure statement could be awarded attorney fees and costs. Content based restrictions would be added to the state and local voter's pamphlet. All statements for the pamphlets would be subject to review and approval by the SOS.

Information about advisory votes would be changed from a restriction to extend to two pages to "adequate space".

### **B. SUMMARY OF EXPENDITURE IMPACTS**

*Expenditure impacts of the legislation on local governments with the expenditure provisions identified by section number and when appropriate, the detail of expenditures. Delineated between city, county and special district impacts.*

#### **CHANGES BETWEEN ORIGINAL BILL AND CURRENT BILL VERSION:**

The changes between the original bill version and the current version do not change the indeterminate impact of this proposed legislation. Changes will not result in substantial changes in the magnitude of the indeterminate expenditure impacts.

#### **SUMMARY OF CURRENT BILL VERSION:**

This bill would have an indeterminate impact upon local government expenditures, due to changes in voter pamphlet requirements. Some costs will increase by an indeterminate amount, while others will be reduced to an unknown extent. Others will change in a way that cannot be predicted in advance. Due to multiple unknown and competing variables, the impact of this bill cannot be determined precisely, and the impact is indeterminate.

#### **COSTS ASSOCIATED WITH VOTER PAMPHLETS:**

Certain costs associated with voter pamphlets are anticipated to increase in response to the provisions of this legislation. These increases will result from changes that require the county auditors to provide space in the pamphlet for all elective office, measures and candidates. Cost decreases may occur due to removal of requirements for pamphlets to include certain information and explanations. Changes will occur to standards for statements. In addition, space and information related to advisory votes will be changed. It is not known whether these changes will increase or decrease costs.

#### **CHANGES TO AUDITOR OBLIGATIONS:**

The adoption of administrative rules will be shifted from county auditors to the Secretary of State. While this is anticipated to reduce auditor costs, auditors will be consult with the Secretary of State on the new administrative rules and thus will incur indeterminate new costs. County auditors will be required to coordinate on providing statements to other auditors when applicable. Auditors may be required to appoint individuals or committees to write for or against statements if the local jurisdiction does not make an appointment prior to the deadline. These will result in indeterminate changes to expenditures by auditors.

**LOCAL JURISDICTION COSTS:**

Local legislative authorities must appoint persons that reside within the jurisdictional boundaries to prepare arguments advocating for approval of the measure and advocating rejection of the measure. This will result in an indeterminate increase in costs related to such actions.

**C. SUMMARY OF REVENUE IMPACTS**

*Revenue impacts of the legislation on local governments, with the revenue provisions identified by section number, and when appropriate, the detail of revenue sources. Delineated between city, county and special district impacts.*

**SUMMARY BETWEEN ORIGINAL VERSION AND CURRENT BILL VERSION:**

The changes between bill versions do not affect the determination of no revenue impact.

**SUMMARY OF CURRENT BILL:**

This bill has no cash receipts impact upon local governments.

**SOURCES**

Whatcom County Auditor's Office

Local Government Fiscal Note Program Fiscal Note SHB 1357 (2022)

Local Government Fiscal Note Program Fiscal Note SHB 1453 (2022)

Washington State Secretary of State's Office