

Multiple Agency Fiscal Note Summary

Bill Number: 1272 HB S-4572.1	Title: 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	.0	0	0	0	.0	0	0	0	.0	0	0	0
Total \$	0.0	0	0	0	0.0	0	0	0	0.0	0	0	0

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
Total \$	0.0	0	0	0.0	0	0	0.0	0	0

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

Prepared by: Cheri Keller, OFM	Phone: (360) 584-2207	Date Published: Final 2/23/2024
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Judicial Impact Fiscal Note

Bill Number: 1272 HB S-4572.	Title: Voters' pamphlets	Agency: 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: Greg Vogel	Phone: 360-786-7413	Date: 02/21/2024
Agency Preparation: Chris Conn	Phone: 360-704-5512	Date: 02/23/2024
Agency Approval: Chris Stanley	Phone: 360-357-2406	Date: 02/23/2024
OFM Review: Gaius Horton	Phone: (360) 819-3112	Date: 02/23/2024

195,360.00

Request # 238-1

Part II: Narrative Explanation

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

This bill contains technical changes to the Voters' Pamphlet statute. Section 1 contains gender neutral language and words that better reflect the current state of technology. Section 2 increases the civil fine for violating the statute to \$5 per copy of deceptive material or \$10,000. Section 3 changes the requirements for candidate statements and photographs. Section 4 prohibits the use of graphs, charts, photographs, cartoons in addition to caricatures in argument statements. Section 5 contains gender neutral and requires less personal information for purposes of contacting candidates. Section 7 specifies that photographs may not include hats, buttons, or clothing showing words, insignia, or symbols. Section 8 removes written numbers with digits. Section 9 includes minor clarifying language. Section 10 refines the language that outlines requirements for the voters' pamphlet. Sections 11-15 outline the specific role of the county auditor.

II. B - Cash Receipts Impact

None

II. C - Expenditures

No or minimal fiscal impact to the Administrative Office of the Courts.

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.

195,360.00

Form FN (Rev 1/00)

2

Request # 238-1

Bill # 1272 HB S-4572.1

NONE

None

195,360.00

Form FN (Rev 1/00)

3

Request # 238-1

Bill # 1272 HB S-4572.1

Individual State Agency Fiscal Note

Bill Number: 1272 HB S-4572.	Title: Voters' pamphlets	Agency: 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:

NONE

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: Greg Vogel	Phone: 360-786-7413	Date: 02/21/2024
Agency Preparation: Bonnie Luntzel	Phone: 360-570-5575	Date: 02/22/2024
Agency Approval: Mike Woods	Phone: (360) 704-5215	Date: 02/22/2024
OFM Review: Cheri Keller	Phone: (360) 584-2207	Date: 02/23/2024

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 E2SHB 1272 compared to 2SHB 1272, 2023 Session

E2SHB 1272 removes the creation of new standards for information presented in the Voter's Pamphlet and enforcement of those standards. This would remove the fiscal impacts of the original bill.

Section 5(11) is stricken

Section 6 is stricken

Section 7 is stricken

Section 8 is stricken

Section 11 is stricken

New Section – Section 16 Adds an effective date of January 1, 2025

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.

Summary:

E2SHB 1272 Concerns the publishing, formatting, and distribution of the state and local voters' pamphlets. It requires that people appointed by the legislative authority of a jurisdiction to write arguments for and against ballot measures in a local voters' pamphlets reside within the jurisdictional boundaries. It increases the maximum fine for publishing or distributing campaign material that is deceptively similar to a voters' pamphlet to \$5 per copy or \$10,000, whichever is greater. It makes other changes to the content presented in the voters' pamphlet.

The sections stricken were ones that would have had a fiscal impact on OSOS. With those removed, OSOS can absorb any costs associated with E2SHB 1272. No fiscal impact.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

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

NONE

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 HB S-4572.	Title: Voters' pamphlets
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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.
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Part III: Preparation and Approval

Fiscal Note Analyst: Allan Johnson	Phone: 360-725-5033	Date: 02/21/2024
Leg. Committee Contact: Greg Vogel	Phone: 360-786-7413	Date: 02/21/2024
Agency Approval: Alice Zillah	Phone: 360-725-5035	Date: 02/21/2024
OFM Review: Cheri Keller	Phone: (360) 584-2207	Date: 02/21/2024

Part IV: Analysis

A. SUMMARY OF BILL

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

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.

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.

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. 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.

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)

