

# Multiple Agency Fiscal Note Summary

<b>Bill Number:</b> 1750 HB	<b>Title:</b> Voting rights act claims
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## Estimated Cash Receipts

Agency Name	2025-27			2027-29			2029-31		
	GF-State	NGF-Outlook	Total	GF-State	NGF-Outlook	Total	GF-State	NGF-Outlook	Total
Office of Attorney General	0	0	1,879,000	0	0	941,000	0	0	941,000
<b>Total \$</b>	<b>0</b>	<b>0</b>	<b>1,879,000</b>	<b>0</b>	<b>0</b>	<b>941,000</b>	<b>0</b>	<b>0</b>	<b>941,000</b>

Agency Name	2025-27		2027-29		2029-31	
	GF- State	Total	GF- State	Total	GF- State	Total
Local Gov. Courts						
Loc School dist-SPI	No fiscal impact					
Local Gov. Other						
Local Gov. Total						

## Estimated Operating Expenditures

Agency Name	2025-27				2027-29				2029-31			
	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total
Administrative Office of the Courts	.0	3,500	3,500	3,500	.0	0	0	0	.0	0	0	0
Office of the Secretary of State	Non-zero but indeterminate cost and/or savings. Please see discussion.											
Office of Attorney General	3.5	0	0	1,879,000	1.8	0	0	941,000	1.8	0	0	941,000
<b>Total \$</b>	<b>3.5</b>	<b>3,500</b>	<b>3,500</b>	<b>1,882,500</b>	<b>1.8</b>	<b>0</b>	<b>0</b>	<b>941,000</b>	<b>1.8</b>	<b>0</b>	<b>0</b>	<b>941,000</b>

Agency Name	2025-27			2027-29			2029-31		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Courts									
Loc School dist-SPI	No fiscal impact								
Local Gov. Other	Non-zero but indeterminate cost and/or savings. Please see discussion.								
Local Gov. Total									

## Estimated Capital Budget Expenditures

Agency Name	2025-27			2027-29			2029-31		
	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
Office of Attorney General	.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	2025-27			2027-29			2029-31		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Courts									
Loc School dist-SPI	No fiscal impact								
Local Gov. Other	Non-zero but indeterminate cost and/or savings. Please see discussion.								
Local Gov. Total									

## Estimated Capital Budget Breakout

<b>Prepared by:</b> Val Terre, OFM	<b>Phone:</b> (360) 280-3073	<b>Date Published:</b> Final 2/20/2025
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# Judicial Impact Fiscal Note

<b>Bill Number:</b> 1750 HB	<b>Title:</b> Voting rights act claims	<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:

STATE	FY 2026	FY 2027	2025-27	2027-29	2029-31
State FTE Staff Years					
<b>Account</b>					
General Fund-State 001-1	3,500		3,500		
State Subtotal \$	3,500		3,500		
COUNTY	FY 2026	FY 2027	2025-27	2027-29	2029-31
County FTE Staff Years					
<b>Account</b>					
Local - Counties					
Counties Subtotal \$					
CITY	FY 2026	FY 2027	2025-27	2027-29	2029-31
City FTE Staff Years					
<b>Account</b>					
Local - Cities					
Cities Subtotal \$					

### 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: Desiree Omli	Phone: 360-786-7105	Date: 02/03/2025
Agency Preparation: Kerra Lynch	Phone: 3607044029	Date: 02/19/2025
Agency Approval: Chris Stanley	Phone: 360-357-2406	Date: 02/19/2025
OFM Review: Gaius Horton	Phone: (360) 819-3112	Date: 02/20/2025

201,807.00

Request # 148-1

Part II: Narrative Explanation

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

Amends Voting Rights Act (Chap 29A.92 RCW) to bar political subdivisions and government entities from adopting or utilizing electoral policies, practices and systems (PPSs) intended or likely to materially and disparately burden protected class members’ ability or opportunity to vote or participate in political process including, for example, practices resulting in polarized voting or vote dilution; provides ltd exception if proponent proves by clear & convincing evidence PPS needed to significantly further compelling particularized interest w/no less burdensome alternative available; retains members’ right to sue if specified criteria satisfied (e.g. prior notice w/proposed remedy, good faith negotiations, passage of requisite period), but dispenses w/prerequisites in certain circumstances; identifies factors irrelevant to determining violations; and authorizes Court to grant relief tailored to address particular violation(s).

II. B - Cash Receipts Impact

II. C - Expenditures

ADMINISTRATIVE OFFICE OF THE COURTS  
This bill will require updates to the Election Law Bench book and is estimated to be \$3,500.00 in FY 2026.

Part III: Expenditure Detail

Part III: Expenditure Detail

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

State	FY 2026	FY 2027	2025-27	2027-29	2029-31
FTE Staff Years					
Salaries and Wages					
Employee Benefits					
Professional Service Contracts					
Goods and Other Services	3,500		3,500		
Travel					
Capital Outlays					
Inter Agency/Fund Transfers					
Grants, Benefits & Client Services					
Debt Service					
Interagency Reimbursements					
Intra-Agency Reimbursements					
Total \$	3,500		3,500		

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

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 1750 HB	<b>Title:</b> Voting rights act claims	<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:

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

### 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: Desiree Omli	Phone: 360-786-7105	Date: 02/03/2025
Agency Preparation: Bonnie Luntzel	Phone: 360-704-5262	Date: 02/07/2025
Agency Approval: Tim Gallivan	Phone: (360) 763-2044	Date: 02/07/2025
OFM Review: Marie Davis	Phone: (360) 890-1163	Date: 02/15/2025

## 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.*

House Bill 1750 aims to:

- 1) alleviate disparate burdens that members of different racial, color, and language minority status (protected class) bear on the right to vote, exercising the franchise and participating effectively in the political process.
- 2) modify existing prohibitions in state laws that restrict local government subdivisions from addressing challenges that perpetuate racial polarization, vote dilution, and/or abridgement of rights and voting power of the members of a protected class.

Section 2 adds definitions for "Election policy or practice" and "Electoral system". Importantly, it includes "Election policy or practice" within the definition of an "Electoral system".

Section 4 (1) asserts that no method of electing the governing body of a political subdivision may be imposed or applied in a manner that impairs the ability of members of a protected class or classes to have an equal opportunity to elect candidates of their choice as a result of the dilution or abridgment of the rights of voters who are members of a protected class or classes.

Upon finding a possible breach of chapter 29A.92.030, this legislature recommends the following remedies:

- Section 12 (1): the court may order modification of the political subdivision's election policies and practices.
- Section 13 (1): the court may allow the prevailing plaintiff(s), other than the state or political subdivision thereof, reasonable attorney's fees, all non-attorney fee costs as defined by RCW 4.84.010, and all reasonable expert witness fees, including all such reasonable fees and costs incurred before filing the action.

### 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.*

The fiscal impact of this bill is indeterminate due to several factors that prevent an accurate cost estimation.

#### Election Costs

Section 12(1) grants courts the authority to order modifications to a political subdivision's election policies and practices. Additionally, Section 12(4)(c) allows governing bodies to stagger electoral terms. The cost implications of these provisions vary widely depending on the jurisdiction and the specific changes implemented. Any modifications made by political subdivisions could impact the state's prorated share of election cost reimbursements under RCW 29A.04.420. However, without knowing the extent to which jurisdictions will adjust their election policies or stagger elections for statewide offices, the fiscal impact remains uncertain.

#### Litigation Costs

Sections 8(5), 9(4), and 13(1) authorize individuals, organizations, or tribes who provide notice of a potential voting rights violation to seek reimbursement from the political subdivision for costs incurred. This includes reasonable attorney fees, non-attorney fee costs (as defined by RCW 4.84.010), expert witness fees, and pre-filing costs, up to a maximum of \$50,000 per claim. Since the number of claims filed and the cost per case will vary, the total fiscal impact associated with litigation under this bill cannot be determined at this time.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

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

III. B - Expenditures by Object Or Purpose

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

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.

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 1750 HB	<b>Title:</b> Voting rights act claims	<b>Agency:</b> 100-Office of Attorney General
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## Part I: Estimates

☐ No Fiscal Impact

### Estimated Cash Receipts to:

ACCOUNT	FY 2026	FY 2027	2025-27	2027-29	2029-31
Legal Services Revolving Account-State 405-1	1,740,000	139,000	1,879,000	941,000	941,000
<b>Total \$</b>	1,740,000	139,000	1,879,000	941,000	941,000

### Estimated Operating Expenditures from:

	FY 2026	FY 2027	2025-27	2027-29	2029-31
FTE Staff Years	5.9	1.0	3.5	1.8	1.8
<b>Account</b>					
Legal Services Revolving Account-State 405-1	1,740,000	139,000	1,879,000	941,000	941,000
<b>Total \$</b>	1,740,000	139,000	1,879,000	941,000	941,000

### 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: Desiree Omli	Phone: 360-786-7105	Date: 02/03/2025
Agency Preparation: Cassandra Jones	Phone: 360-709-6028	Date: 02/12/2025
Agency Approval: Leah Snow	Phone: 360-586-2104	Date: 02/12/2025
OFM Review: Rayanna Evans	Phone: (360) 902-0553	Date: 02/13/2025

## 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.*

Section 1 – Amends RCW 29A.92.005 by modifying legislative findings.

Section 2 – Amends RCW 29A.92.010 by adding new definitions.

Section 3 – New section. Prohibits a political subdivision or government entity responsible for election administration from implementing or imposing any election policy or practice, or taking action or failing to take action, that results or is likely to result in, or is intended to result in, a material disparate burden on the ability or opportunity to participate in any stage of the political process.

Section 4 – Amends RCW 29A.92.030 by prohibiting methods of electing the governing body of a political subdivision that impair the ability of voters who are members of a protected class to have equal opportunity to elect candidates of their choice as a result of dilution or abridgment of the rights of the voters.

Section 5 – Amends RCW 29A.92.040 by updating a statutory reference.

Section 6 – Amends RCW 29A.92.050 by updating a statutory reference.

Section 7 – Amends RCW 29A.92.060 by modifying notice requirements.

Section 8 – Amends RCW 29A.92.070 by modifying language relating to action taken by a political subdivision in response to a notice and changing statutory references.

Section 9 – Amends RCW 29A.92.080 by changing and adding statutory references.

Section 10 – Amends RCW 29A.92.090 by specifying when a party may file an action under the chapter without providing notice and exhausting the required time period.

Section 11 – Amends RCW 29A.92.100 by specifying when the court must grant relief in an action filed under the chapter in which a plaintiff seeks a temporary restraining order or a preliminary injunction with respect to an upcoming election.

Section 12 – Amends RCW 29A.92.110 by modifying language related to court ordered remedies and changing statutory references.

Section 13 – Amends RCW 29A.92.130 by modifying the definition of “altering the political subdivision’s behavior.”

Section 14 – New section. Repeals RCW 29A.92.020.

This bill is assumed effective 90 days after the end of the 2025 legislative session.

### 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.*

Cash receipts are assumed to equal the Legal Services Revolving Account (LSRA) cost estimates. These will be billed through the revolving account to the client agency.

The client agency is the Office of the Secretary of State (SEC). The Attorney General’s Office (AGO) will bill all clients for legal services rendered.

These cash receipts represent the AGO’s authority to bill and are not a direct appropriation to the AGO. The direct appropriation is reflected in the client agency’s fiscal note. Appropriation authority is necessary in the AGO budget.

AGO AGENCY ASSUMPTIONS:

SEC will be billed for non-King County rates:

FY 2026: \$1,740,000 for 3.2 Assistant Attorney General FTE (AAG) and 1.6 Paralegal 1 FTE (PL1), which includes direct litigation costs of \$750,000

FY 2027: \$139,000 for 0.5 DSG AAG and 0.3 PL1

FY 2028 and in each even FY thereafter: \$872,000 for 1.6 AAG and 0.8 PL1, which includes direct litigation costs of \$375,000

FY 2029 and in each odd FY thereafter: \$69,000 for 0.3 AAG and 0.2 PL1

**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.*

Attorney General’s Office (AGO) Agency Assumptions:

This bill is assumed effective 90 days after the end of the 2025 legislative session.

Location of staffing is assumed to be in a non-King County office building.

Total workload impact in this request includes standard assumption costs for goods & services, travel, and capital outlays for all FTE identified.

Agency administration support FTE are included in the tables. The Management Analyst 5 FTE (MA) is used as a representative classification. An example ratio is for every 1.0 Assistant Attorney General FTE (AAG), the AGO includes 0.5 Paralegal 1 FTE (PL1) and 0.4 MA.

1. Assumptions for the AGO Solicitor General’s Office (SGO) Legal Services for the Office of the Secretary of State (SEC):

The AGO will bill SEC for legal services based on the enactment of this bill. Section 3 of this bill will be interpreted to apply to regulations of the SEC. The Washington Supreme Court does not invalidate the statutory signature verification requirement in the pending Vet Voice v. Hobbs case. Cases brought under Section 3 will involve complexity, similar to that in Vet Voice v. Hobbs and require comparable attorney time. In Vet Voice, the AGO billed 2,839 AAG hours in the year focused on discovery and the motions for summary judgment, and 398 AAG hours in the year focused on the appeal. For this bill analysis, SGO estimates 2,800 AAG hours of trial level work per case and 390 hours of appeal work per case. These numbers could be higher, particularly if these cases go to trial instead of being decided on summary judgment, like Vet Voice. These numbers could also be lower, such as if the claims overlap and the same evidence can be used across cases. Cases brought under Section 3 will involve similar expert witness costs to Vet Voice. In Vet Voice, AGO retained three experts: a statistician, an election law expert, and a handwriting expert. In litigation decided on summary judgment, AGO paid the experts a total of \$388,879. SGO estimates a cost of \$375,000 for each case under this bill. This number could be higher if the experts are called to testify at trial or lower if there is overlap between testimony in different lawsuits. In the year immediately following adoption of this bill, there will be two lawsuits challenging SEC regulations. After the initial year, there will be an average of one lawsuit every two years. These would be a combination of challenges to existing and new regulations of elections.

SGO: Total non-King County workload impact:

FY 2026: \$1,740,000 for 3.2 AAG and 1.6 PL1, which includes direct litigation costs of \$750,000

FY 2027: \$139,000 for 0.5 AAG and 0.3 PL1

FY 2028 and in each even FY thereafter: \$872,000 for 1.6 AAG and 0.8 PL1, which includes direct litigation costs of \$375,000

FY 2029 and in each odd FY thereafter: \$69,000 for 0.3 AAG and 0.2 PL1

2. The AGO Agriculture & Health Division (AHD) has reviewed this bill and determined it will not increase or decrease the division's workload in representing the Department of Commerce (Commerce). Commerce would not be given any new authorities or responsibilities under this bill. Therefore, no costs are included in this request.

3. The AGO Government Compliance & Enforcement Division (GCE) has reviewed this bill and determined it will not increase or decrease the division's workload in representing the SEC. This bill relates to voting rights, legal advice, and litigation services would be the responsibility of the SGO. Therefore, no costs are included in this request.

4. The AGO Policy Division (POL) has reviewed this bill and determined it will not increase or decrease the division's workload as the division does not have a role in the enforcement of voting rights protections. Therefore, no costs are included in this request.

## Part III: Expenditure Detail

### III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2026	FY 2027	2025-27	2027-29	2029-31
405-1	Legal Services Revolving Account	State	1,740,000	139,000	1,879,000	941,000	941,000
<b>Total \$</b>			1,740,000	139,000	1,879,000	941,000	941,000

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

	FY 2026	FY 2027	2025-27	2027-29	2029-31
FTE Staff Years	5.9	1.0	3.5	1.8	1.8
A-Salaries and Wages	690,000	96,000	786,000	394,000	394,000
B-Employee Benefits	198,000	28,000	226,000	113,000	113,000
C-Professional Service Contracts	750,000		750,000	375,000	375,000
E-Goods and Other Services	97,000	14,000	111,000	56,000	56,000
G-Travel	5,000	1,000	6,000	3,000	3,000
<b>Total \$</b>	1,740,000	139,000	1,879,000	941,000	941,000

### 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 2026	FY 2027	2025-27	2027-29	2029-31
Deputy Solicitor General AAG	152,052	3.2	0.5	1.9	1.0	1.0
Management Analyst 5	98,040	1.1	0.2	0.7	0.4	0.4
Paralegal 1	71,148	1.6	0.3	1.0	0.5	0.5
<b>Total FTEs</b>		5.9	1.0	3.5	1.8	1.8

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

Program	FY 2026	FY 2027	2025-27	2027-29	2029-31
Solicitor General's Office (SGO)	1,740,000	139,000	1,879,000	941,000	941,000
<b>Total \$</b>	1,740,000	139,000	1,879,000	941,000	941,000

## Part IV: Capital Budget Impact

### IV. A - Capital Budget Expenditures

NONE

Voting rights act claims

Form FN (Rev 1/00) 201,870.00

FNS063 Individual State Agency Fiscal Note

100-Office of Attorney General

Request # 242-1

Bill # 1750 HB

**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

<b>Bill Number:</b> 1750 HB	<b>Title:</b> Voting rights act claims
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**Part I: Jurisdiction**—Location, type or status of political subdivision defines range of fiscal impacts.

## Legislation Impacts:

- ☒ Cities: Could incur costs for responding to legal challenges.
- ☒ Counties: Could incur costs for responding to legal challenges and changing election methods.
- ☒ Special Districts: Could incur costs for legal challenges and costs to change election methods.
- ☐ 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: Number of claims alleging Voting Rights Act violations and cost of negotiations, changes and defense; total costs of implementing court-ordered remedies if required; total amount a jurisdiction could be required to pay to reimburse a person or organization that filed a Voting Rights Act violation claim.

**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: Kate Fernald	Phone: 564-200-3519	Date: 02/05/2025
Leg. Committee Contact: Desiree Omli	Phone: 360-786-7105	Date: 02/03/2025
Agency Approval: Allan Johnson	Phone: 360-725-5033	Date: 02/05/2025
OFM Review: Marie Davis	Phone: (360) 890-1163	Date: 02/15/2025

## Part IV: Analysis

### A. SUMMARY OF BILL

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

The proposed legislation would make changes to Voting Rights Act violations.

Sec. 2 would amend RCW 29A.92.010.

The following terms and definitions would be added:

(4) "Election policy or practice" means any voting qualification, prerequisite to voting, or method of election, and any law, ordinance, resolution, charter or code provision, regulation, rule, policy, practice, procedure, standard, or action with respect to voting or the administration of elections, including the time or date of elections.

(5) "Electoral system" means the method of electing the governing body of a political subdivision or any election policy or practice administered by the political subdivision.

Sec. 8 would amend RCW 29A.92.070.

(5)(a) would require the political subdivision that implements a remedy in response to a potential violation of section of this act to reimburse the person, organization, or tribe who sent the notice of the potential violation of the Voting Rights Act if the person, organization or tribe makes a demand to the political subdivision for reimbursement of the costs incurred in conducting the research necessary to send the notice.

Sec. 9 would amend RCW 29A.92.080.

(1) Various voters residing in a political subdivision would be allowed to file an action under this chapter if, 90 days after a political subdivision receives notice of a challenge to its electoral system under RCW 29A.92.060, the political subdivision has not adopted a remedy in compliance with section three of this act.

(4)(a) would allow the persons, organizations, or tribes who sent notices to make a demand to the political subdivision for reimbursement of the costs incurred in conducting the research necessary to send the notices if a political subdivision implements a remedy in response to a potential violation of section three of this act.

Sec. 10 would amend RCW 29A.92.090.

A party would not have to meet the notice requirement or wait 90 days to bring an action for a violation of the Washington Voting Rights Act, for either a vote dilution or abridgment claim, if:

- the party is seeking preliminary relief with respect to an upcoming election;
- the party is seeking to intervene in or join an existing action; or
- following the party's notice to the political subdivision, the political subdivision enacted a change that would not remedy the violation identified in the notice.

Sec. 11 would amend RCW 29A.92.100.

In an action filed, for either a vote dilution or abridgment claim, in which the plaintiff seeks a temporary restraining order or a preliminary injunction with respect to an upcoming election, the court would be required to grant relief if it determines that the plaintiff is more likely than not to succeed on the merits, and it is possible to implement an appropriate remedy that would resolve the alleged violation in the upcoming election.

Sec. 14 would add a new section.

RCW 29A.92.020 - Method of election—Equal opportunity for protected class would be repealed.

### 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.*

The proposed legislation could result in potentially significant indeterminate costs (more than \$1,000,000) for cities, counties, and special districts. The number of Voting Rights Act violations that may be claimed, and the total costs for lawsuits, trials and remedies are unknown. As such, the local government fiscal impact is indeterminate. Potential costs

for lawsuits, trials and remedies, however, are provided below for additional context on the potential expenditure impacts.

## LAWSUITS AND TRIALS

The number of lawsuits that may be filed and the costs for each suit cannot be estimated and is indeterminate. Likewise, the number of cases that will go to trial, and each case's trial costs will vary on a case-by-case basis and cannot be predicted. However, Washington Association of Prosecuting Attorneys anticipates increased numbers of legal challenges would be well over \$1,000,000. In Yakima and Franklin County, they both had litigation from 2021 to 2023 related to voting rights. Each county, on its own, spent nearly \$1,000,000 (nearly \$2 million collectively) and neither of the counties went to trial.

## REMEDIES

In addition, this legislation could result in potentially significant indeterminate costs for cities, counties, and special districts due to working with plaintiffs to identify remedies that are acceptable to all parties. Where these remedies are not identified, legal challenges and associated costs could occur. Jurisdictions may incur indeterminate costs to implement remedies (reached either through negotiation or through court order). Remedy impacts of the bill cannot be reasonably estimated given the range of potential costs in individual cases.

Please note that court impacts, including judicial costs, clerk costs, and court fees, are described in Administrative Office of the Courts' fiscal notes.

## 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.*

The proposed legislation would not impact local government revenue.

## SOURCES:

Association of Washington Cities

Washington Association of Prosecuting Attorneys

Washington State Association of County Auditors

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 1750 HB	<b>Title:</b> Voting rights act claims	<b>Agency:</b> SDF-School District Fiscal Note - SPI
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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.

<b>Legislative Contact:</b> Desiree Omli	<b>Phone:</b> 360-786-7105	<b>Date:</b> 02/03/2025
<b>Agency Preparation:</b> Robert Smith	<b>Phone:</b> (360)725-6420	<b>Date:</b> 02/11/2025
<b>Agency Approval:</b> Mike Woods	<b>Phone:</b> (360) 725-6283	<b>Date:</b> 02/11/2025
<b>OFM Review:</b> Val Terre	<b>Phone:</b> (360) 280-3073	<b>Date:</b> 02/11/2025

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.

New Section 3

3(1) No political subdivision (which can include a school district per the current definition in section 2) or government entity responsible for election administration may implement, impose or enforce any election policy or practice, or take any action or fail to take any action that results in, is likely to result in, or is intended to result in a material disparate burden on the ability or opportunity of members of a protected class to vote or participate in any stage of the political process.

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.

No impact to cash receipts

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.

The Office of the Superintendent of Public Instruction assumes no fiscal impact to school districts as they are already prohibited from discrimination under state and federal law

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

no impact to capital budget.

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

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