

Initiative No. 1703

February 21, 2020

BILL REQUEST - CODE REVISER'S OFFICE

BILL REQ. #: I-3776.1/20

ATTY/TYPIST: MW:akl

BRIEF DESCRIPTION:

Initiative No. 1703

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AN ACT Relating to increasing legislative transparency; adding new sections to chapter 44.04 RCW; and creating new sections.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF WASHINGTON:

NEW SECTION. **Sec. 1.** The people find that public input into the legislative process is necessary for a republican form of government. Public input fosters the people's trust by keeping government actors accountable and minimizing the unintended consequences that can occur when interested parties are not provided sufficient opportunity to comment on pending legislation. Often, however, proposed substitute bills, striking amendments, and conference committee reports make broad changes to legislation, and the public is either not given the opportunity to comment or not given the time necessary for robust evaluation. To address this concern, the people intend to require a minimum amount of notice before holding a public hearing on a new bill or voting on a proposed substitute, striking amendment, or conference committee report.

Additionally, the people find that bills containing only titles or intent statements contribute to a culture of opacity that undercuts the public trust. The public and members of the legislature need to be afforded the opportunity to fully evaluate legislation, but title-only or intent-only bills offer no content to evaluate. The public instead must wait for the legislature to decide what content to include in the bill, which often occurs when it is too late for public comment. Further, the people find that title-only and intent-only bills do not adequately lay out the scope and object of a bill, thereby undercutting the premise of Article II, section 38 of the state Constitution. Accordingly, the people intend to increase transparency by ending the practice of introducing or amending bills that contain only titles or intent statements.

NEW SECTION. **Sec. 2.** A new section is added to chapter 44.04 RCW to read as follows:

(1) A standing committee of the legislature may not hold a public hearing on a bill unless the bill was publicly introduced in the legislature at least seventy-two hours before the public hearing. A bill may not be voted on by a standing committee or by either the senate or the house of representatives unless it has been the subject of a public hearing in a regular or special session during the same calendar year.

(2) A standing committee must provide at least seventy-two hours' notice of a public hearing. The notice must include the date, time, and place of the hearing and the title and number of each bill to be heard. This subsection does not preclude a standing committee or a chamber of the legislature from adopting rules that require more than seventy-two hours' notice.

(3) (a) A proposed substitute or striking amendment must be made publicly available at least seventy-two hours before it may be voted on by a standing committee or by either the senate or the house of representatives.

(b) A conference committee report must be made publicly available at least seventy-two hours before it may be voted on by either the senate or the house of representatives.

(4) A bill may not be voted on by the senate or the house of representatives until twenty-four hours after it has been placed on the second reading calendar.

(5) (a) The requirements in this section may be waived by a two-thirds majority vote of the chamber in which the bill is pending.

(b) For a bill pending in a standing committee, the requirement in subsection (3) (a) of this section may be waived by a two-thirds majority vote of the standing committee in which the bill is pending.

(c) A vote to waive any requirement in this section must be a recorded roll call vote.

NEW SECTION. **Sec. 3.** A new section is added to chapter 44.04 RCW to read as follows:

(1) A title-only bill or a bill that contains only an intent section may not be introduced in either the house of representatives or the senate.

(2) A standing committee may not recommend passage of a bill that, as introduced or as amended or substituted, is a title-only bill or contains only an intent section.

NEW SECTION. **Sec. 4.** The provisions of this act are to be liberally construed to effectuate the policies, purposes, and intent of this act.

NEW SECTION. **Sec. 5.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. **Sec. 6.** This act may be known and cited as
"Increasing Legislative Transparency by Eliminating Ghost and Title-
Only Bills."

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