



Summary of Initiative 1053

Prepared for members of the Washington House of Representatives by the House Office of Program Research.

This information has been prepared in response to various requests for a summary of Initiative 1053. It is provided for analytical and legislative policy purposes only. It is not provided as an expression of support for or opposition to any ballot measure. These materials are intended to provide general information and are not intended to be an exhaustive analysis of all issues presented by the measure.

BRIEF SUMMARY

- Reinstates and restates the requirement that tax increases must be approved by at least two-thirds legislative approval in both houses of the Legislature or by referral to the voters.
- Restates the requirement that new fees and fee increases must have majority legislative approval in both houses of the Legislature.

BACKGROUND

Initiative 1053

Initiative 1053 was certified to the ballot on July 22, 2010. The ballot title and ballot measure summary prepared by the Attorney General are as follows:

Ballot Title

Statement of Subject: Initiative Measure No. 1053 concerns tax and fee increases imposed by state government.

Concise Description: This measure would restate existing statutory requirements that legislative actions raising taxes must be approved by two-thirds legislative majorities or receive voter approval, and that new or increased fees require majority legislative approval.

Should this measure be enacted into law? Yes [] No []

Ballot Measure Summary

This measure would restate the existing statutory requirement that any action or combination of actions by the legislature that raises taxes must be approved by a two-

thirds vote in both houses of the legislature or approved in a referendum to the people, and it would restate the existing statutory definition of “raises taxes.” It would also restate that new or increased fees must be approved by a majority vote in both houses of the legislature.

Restrictions on Legislation that Raises Taxes and Fees

In 1993 voters enacted Initiative 601. Among other things, Initiative 601 required a two-thirds vote of both houses of the Legislature to increase state revenue. The Legislature temporarily suspended the supermajority requirement from March 2002 through June 2003 and again from April 2005 through June 2006.

Initiative 960, enacted by the voters in 2007, restated this requirement for a supermajority legislative vote to increase taxes, and it also declared that under the state Constitution the Legislature may refer tax increases to the voters through the referendum bill process. In addition, Initiative 960 required prior legislative approval of any new or increased state fees. It also established publicity and cost projection requirements for legislation that raises taxes or increases fees, and it required advisory votes for legislation that raises taxes and does not appear on the ballot as a referendum bill or referendum measure.

In 2010 the Legislature suspended until July 1, 2011, the two-thirds vote requirement for state tax increases, and the requirement for advisory votes for tax increases. Provisions of Initiative 960 regarding publicity and cost projection requirements for tax and fee legislation, and prior legislative approval of new fees and fee increases, were not affected by the 2010 legislation and remain in place.

The state Constitution prohibits the Legislature from repealing a voter-approved initiative within two years of its approval, and within this two-year period the Legislature may amend such an initiative only with a two-thirds vote of both houses or by referral to the voters.

SUMMARY

Initiative 1053 reinstates and restates the statutory requirement that any action or combination of actions by the Legislature that raises state taxes must be approved by at least two-thirds legislative approval in both houses of the Legislature or by referral to the voters. The initiative also restates the requirement that new or increased state fees must be approved with majority legislative approval in both houses of the Legislature.

Effective Date:

The initiative takes effect December 2, 2010.

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