

Initiative Measure No. 458

FILED

DEC 08 2009

SECRETARY OF STATE  
STATE OF WASHINGTON

COMPLETE TEXT

AN ACT Relating to tax and fee increases imposed by state government; amending RCW 43.135.055; and creating new sections.

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

**PROTECTING TAXPAYERS BY REQUIRING THE LEGISLATURE TO RECEIVE EITHER TWO-THIRDS LEGISLATIVE APPROVAL OR VOTER APPROVAL TO RAISE TAXES**

NEW SECTION. **Sec. 1.** Any action or combination of actions by the legislature that raises taxes may be taken only if approved by a two-thirds legislative vote in both the house of representatives and the senate. Pursuant to the legislature's referendum power set forth in Article II, section 1(b) of the state Constitution, tax increases may be referred to the voters for their approval or rejection at an election. "Raises taxes" means any action or combination of actions by the legislature that increases state tax revenue deposited in any fund, budget, or account, regardless of whether the revenues are deposited into the general fund.

**PROTECTING TAXPAYERS BY REQUIRING THE LEGISLATURE TO RECEIVE MAJORITY LEGISLATIVE APPROVAL TO INCREASE FEES**

**Sec. 2.** RCW 43.135.055 and 2008 c 1 s 14 are each amended to read as follows:

(1) ~~((No))~~ A fee may only be imposed or increased in any fiscal year ~~((without prior legislative approval))~~ if approved with majority legislative approval in both the house of representatives and the senate and must be subject to the accountability procedures required by RCW 43.135.031.

(2) This section does not apply to an assessment made by an agricultural commodity commission or board created by state statute or created under a marketing agreement or order under chapter 15.65 or 15.66 RCW, or to the forest products commission, if the assessment is approved by referendum in accordance with the provisions of the statutes creating the commission or board or chapter 15.65 or 15.66 RCW for approving such assessments.

#### **CONSTRUCTION CLAUSE**

NEW SECTION.   **Sec. 3.**   The provisions of this act are to be liberally construed to effectuate the intent, policies, and purposes of this act.

#### **SEVERABILITY CLAUSE**

NEW SECTION.   **Sec. 4.**   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.

**-- END --**