



Ballot Measures & Revenue Tools

Association of Washington Cities
Municipal Budgeting and Fiscal Management Workshop
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1

Agenda

Revenue Options

Revenue landscape

Voted v. non-voted revenue considerations; ballot measure requirements

Revenue options

- Property taxes
- Sales and other taxes
- Fees, assessments and other revenues
- Special districts

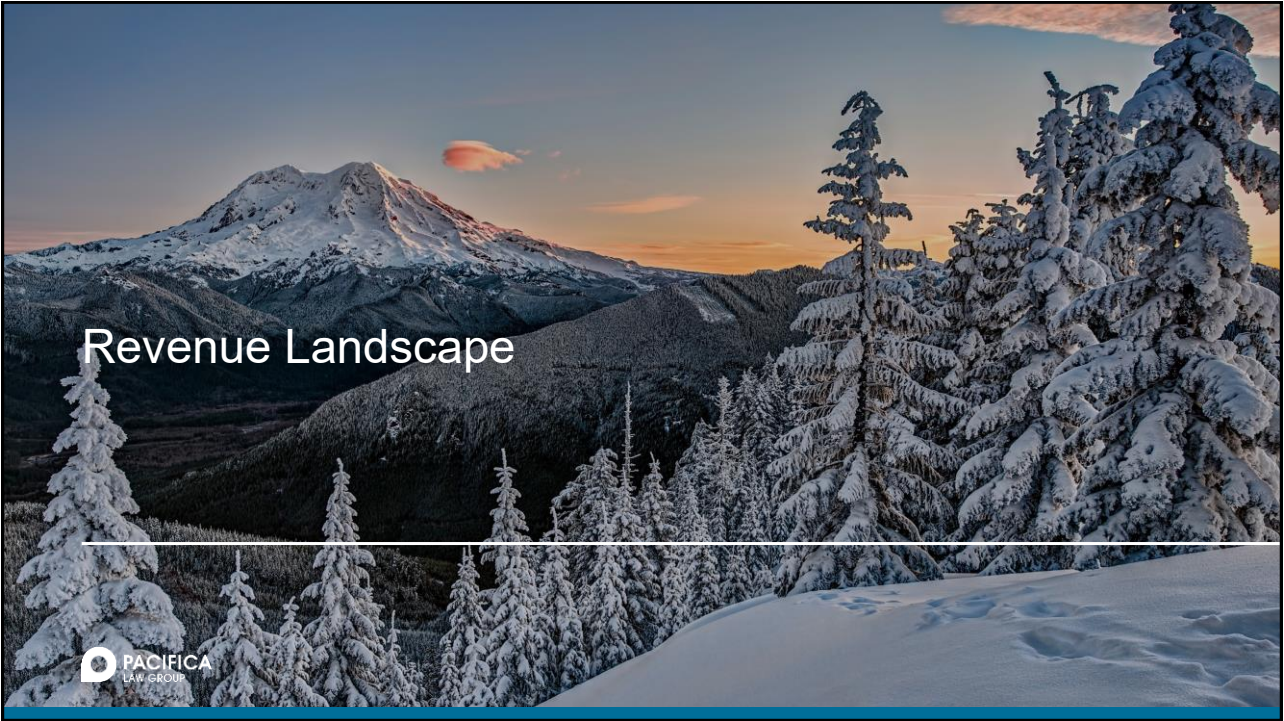
Additional Considerations

Appendix A – Additional Ballot Measure Requirements



2

1



3

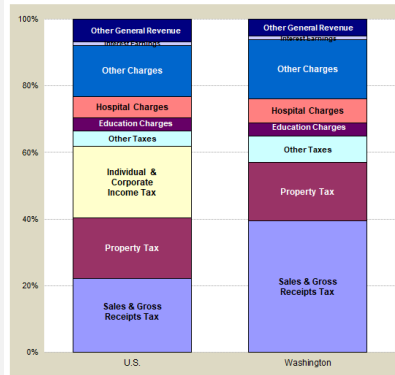
OFM Profile

State & local government revenue sources

Washington state & local government revenue sources, Fiscal Year 2022

(\$ millions)

Fiscal Year 2022



Source	Amount
Sales & Gross Receipts Tax	\$35,181
Property Tax	\$15,530
Individual & Corporate Income Tax	\$0
Other Taxes	\$7,023
Education Charges	\$3,583
Hospital Charges	\$6,469
Other Charges	\$15,779
Interest Earnings	\$891
Other General Revenue	\$4,523
Total	\$88,979

- Washington is slightly more dependent on charges for services than the U.S. average.
- Washington is one of a few states without personal or corporate income taxes.
- Washington depends more heavily on excise taxes, including the general sales & use tax, selective sales taxes, and the gross receipts tax (business & occupation tax) than most any other state.
- Washington is the only state with a general gross receipts tax - the Business & Occupation Tax.

Data source:

- [U.S. Census Bureau: State and Local Government Finances](https://www.census.gov/data/tables/2022/states/50-states.html)

E-mail: OFM.Forecasting@ofm.wa.gov



4

Longer Term Trends

Washington local governments rely more and more on excise taxes, user charges, special purpose levies and special districts, as property tax revenues have been constrained by the 101% limitation

- Property taxes as declining share of local government budgets
- As levy rates decline, the constitutional 1% limit and the statutory \$5.90 limits are less relevant
 - More “room” under these limits on levy rates has allowed the Legislature to add new junior taxing districts, and new “special” regular property taxes that are outside the \$5.90 statutory limit
 - Legislature also has added new special sales taxes
- Result:
 - increased reliance on excise taxes and user charges
 - increased reliance on special purpose taxes and special districts

Results in fewer broad purpose revenue tools and more specialized tool

Revenue Sources

Three legged stool or three buckets

- Property taxes
- Excise taxes
- Assessments, user fees and other non-tax revenues

Understanding pros and cons

- Availability (councilmanic v. voted, for example)
- Broad purposes = flexible
- Specific purposes = less flexible but may have closer alignment of benefit and burden
- Performance over time, performance in different economic conditions
 - Volatility
 - Growth potential
- Diversification or concentration



Same Revenue Options, Different Outcomes

Different jurisdictions' experiences with a downturn and recovery

The experience of Washington counties and cities during the Great Recession varied from jurisdiction to jurisdiction, depending on among other things how dependent a jurisdiction was on sales versus property tax revenues.

- Depending on the level of reliance on sales v. property tax revenues, cities and counties had differing experiences.
 - Sales tax-dependent jurisdictions experienced sharper decline but more robust recovery
 - Property tax-dependent jurisdictions experienced more stability but capped/slow recovery
- Sales taxes for specific purposes follow sales tax trend line but with concentrated impacts within certain sectors.
 - Lodging taxes, for example
- User charges; depends on the underlying transaction

Performance Over Time

Regular property taxes are subject to a 101% limitation on total amount that significantly caps growth over time, but provides insulation from real estate cycle

- Effect of legal limitations in a downturn
 - Sudden decline in assessed valuations does not translate into reduced property tax revenues
 - Unless a county or city is already near or at its statutory rate per thousand
- Effect of legal limitations during a recovery
 - Limited ability to translate increased property values into increased property tax revenues
 - Except for bumps for new construction, and exceptions to the 101% (such as TIF)
- Bottom line: very slow but steady growth

Sales and other excise taxes rise and fall freely with economic cycle.

- Bottom line: boom and bust, volatility depends on the volatility of the underlying taxable transaction (general sales v. real estate sales v. lodging, for example)

Assessments, user charges

Assessments, User Fees and Other Nontax Revenues

Fee for service revenues; user charges. Revenues generated through the provision of services or other goods. Revenue tied to service or “good” provided, or burden or “bad” mitigated

- Commodity charges, such as water, electric, and other utility rates and charges
- Burden offset charges, including impact fees
- Regulatory fees, such as permit fees
- Assessments



9

Building Resilient Revenues

Components of a diverse set of revenue options. In considering a new revenue source, consider its interaction with other sources in various economic times

- Evaluating new revenue tools
- Considerations
 - Availability
 - Flexibility
 - Benefit/burden alignment
 - Revenue-producing potential
 - Sustainability/stability of the revenue, including any limits on term
 - Taxpayer impact; progressive v. regressive
 - Other considerations
- Interaction with existing revenues (e.g. diversification or concentration)
- Practical impact of a toolbox with limited tools; the need to make do



10

Other Considerations

Can the city council impose the tax/fee unilaterally OR is voter approval required?

What is the intended use of the revenue?

- Capital projects or maintenance and operations?
- Cash flow or long term need?

When are the funds needed?

- Property tax levies are set on an annual basis. All property taxes for upcoming year must be certified to the county assessor no later than November 30
- Sales tax rate changes occur January 1, April 1 or July 1, and generally may not take effect until 75 days



11

Councilmanic v. Voted and Ballot Considerations



12

12

Election Landscape

Election Trends

Tax measures fared relatively poorly in the November 2024 election

- More jurisdictions are proposing levies than have historically
- Voter fatigue?
 - Within a particular community, voters (who themselves are feeling the effects of inflation) may be asked for lifts by multiple taxing districts -- their county, city, fire district or library district, for example
- MRSC ballot measure database:
 - **Over 75%** of levy lid lifts were approved overall since 2011.
 - At the November 2024 election, **only half** (11 of 22) levy lid lift ballot measures were approved
 - At the April 2025 election, over 70% (5 of 7) of levy lid lift ballot measures were approved



13

13

Considerations for Revenue Options – Councilmanic v. Voted

Is voter approval required?

Is voter buy in a priority?

Planning ahead

- State law dictates election dates and filing deadlines
 - Keep in mind some ballot measures may only be submitted to the voters on a special, general, and/or primary election
- Plan ahead to achieve best results based on goals (level of community outreach and education, for example) in addition to obtaining required approvals by deadlines
- Plan to share in costs of election
- ***Consult with city attorney and bond counsel early and often***



14

14

Considerations for Voted Revenue Options - Approval Requirement

Simple majority or super majority (60%)

Validation requirement for certain ballot measures (e.g. voted bonds)

Level of Public Support

- Is the measure likely to obtain simple majority approval, or the higher threshold of supermajority approval
- Success rate of similar ballot measures?
- What other measures will also be on the ballot?

Is there a Plan B or C?

- What to do if the ballot measure fails?

Other Considerations – PDC Rules and Guidelines

Initiative 276

- Passed in 1972
- Overall goal: transparency and anti-corruption
- Origin of many “sunshine” laws:
 - Public Records Act
 - Campaign finance reporting requirements and campaign finance limits
 - Regulations on lobbyists
 - *Establishes Public Disclosure Commission and gives it enforcement power*

Limits use of public facilities to support or oppose a ballot measure

Municipalities must abide by PDC statutes and regulations in connection with communications or use of resources regarding a ballot measure

Dependent on facts and circumstances

Resources in Appendix A

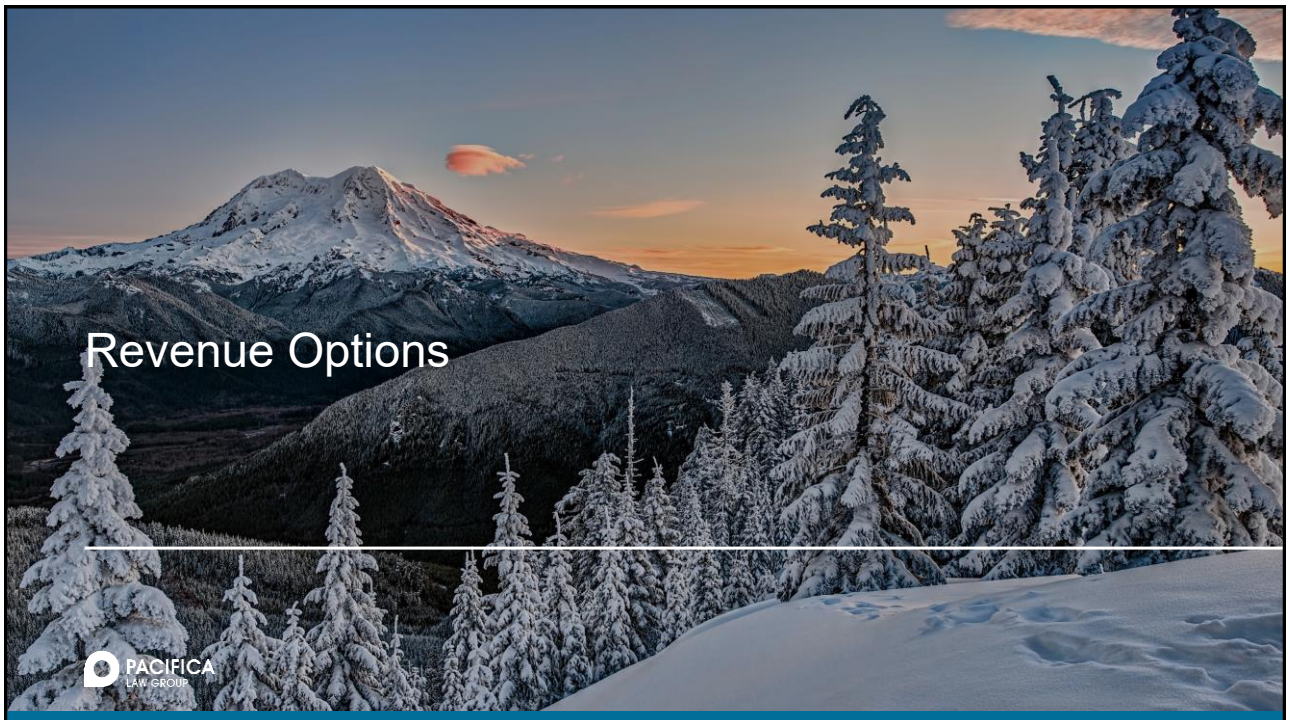
General Rule – Limits use of Public Facilities to Support or Oppose a Ballot Measure

RCW 42.17A.550

- Part of original initiative, just a few sentences out of 11 pages in the voter's guide
- "No elective official nor any employee of his or her office nor any person appointed to or employed by any public office or agency may use or authorize the use of any of the facilities of a public office or agency, directly or indirectly, for the purpose of assisting a campaign for election of any person to any office or for the promotion of or opposition to any ballot proposition."



No Public Facilities or Resources May Be Used for Political Purposes (*think ... anything provided with public funds*)



Regular Property Taxes

Regular property taxes

- Subject to constitutional and statutory limits on levy rate and levy amount, including 101% limit
- Flexible use for City purposes
- Exceed 101% limit with a levy lid lift, to restore levy up to maximum statutory rate per thousand



Regular Property Taxes; Levy Lid Lifts

Levy lid lift “lifts” or removes the 101% limit for either one year or up to six years, depending on the type of levy lid lift approved by the voters

- Authorized in RCW 84.55.050 (see also WAC 458-19-045)
- Requires simple majority voter approval (50% plus one); no validation requirements
- Authorizes an increase in the city’s regular property tax (not an excess property tax levy)
 - Amount collected continues to be part of the city’s regular property tax levy and collections
 - Subject to constitutional and statutory rate limitations
 - Can be authorized for any city purpose or a specific purpose
- Exemptions for qualifying seniors and persons with disabilities under RCW 84.36.381
- If purpose is payment of debt service then limited to no more than 9 years (25 in Thurston County)

Flexible, resilient, but growth cap may require periodic levy lid lifts

Levy Lid Lifts – Case Studies

Case Study: City of Kirkland (select ballot measures)

- Park Bonds: 1920, 1966, 1976, 1984, 1989
- 2002: Parks Maintenance Levy
 - Single-bump permanent: \$0.10
- 2002: Parks Bonds: \$8.4M, 20-year bonds:
 - First year rate: \$0.107
- 2012: Parks Levy: Maintenance, restoration, enhancement:
 - Single-bump permanent: \$0.16
- 2015: Metropolitan Park District (failed)
 - Ability to levy up to \$0.75 but plan to levy \$0.25.
- 2020: Fire and EMS Levy:
 - Single-bump permanent: \$0.235
 - Yes vote: 71.28%
- 2023: Levy Lid Lift for Expanded Aquatics, Recreation, and Parks Facilities, Operations and Programs (failed)
 - Yes vote: 40.55%, No: 59.45%

Levy Lid Lifts – Take Aways

Case Studies: Key Takeaways

- Think ahead – way ahead
- Consider timing of levy
 - Election date
 - Begin planning in advance of resolution/ordinance deadline
- Communicate with stakeholders
- Know your community and what perceptions people may bring to conversations about various types of ballot measures
 - Surveys, budget process
 - Early engagement
- Right-sized community education and input
- Property tax is complex. Assess how to explain in your community's context
- Capital \$ + Operating \$ = hard to fund together in one measure in a simple manner
- Think ahead - plan for the next levy when putting together current levy measure
- Understand impact on overlapping jurisdictions
- Don't get bogged down in "permanent" vs. "temporary"

Special Purpose Property Taxes: Affordable Housing Levy

Voter Approved Regular Property Tax Levy (RCW 84.52.105)

- Up to \$0.50 per \$1,000 of AV in each year for 10 consecutive years
- Revenue may be used to finance affordable housing
 - Statute amended in 2020: to finance affordable housing for very low-income households, and affordable homeownership, owner-occupied home repair, and foreclosure prevention programs for low-income households,
- Requirements
 - Simple majority voter approval
 - City must adopt an affordable housing finance plan
 - Subject to \$10 constitutional limit and 101% levy lid, but not \$5.90 statutory limit.
 - Counties have similar authority, and combined city/county levy rate may not exceed the allowable \$0.50 per \$1,000 of AV
- *Narrow, statutorily dictated purpose; resilient, but growth cap may require periodic levy lid lifts; compare to limited purpose levy lid lift*
- *Bellingham and Vancouver have imposed this levy*



23

23

Special Purpose Property Taxes: EMS Levy

Voter Approved Regular Property Tax Levy (RCW 84.52.069)

- Up to \$0.50 per \$1,000 of AV
- May be imposed for six years, 10 years or permanently
- Revenue may be used to provide emergency medical care or emergency medical services
 - Including related personnel costs, training for such personnel, and related equipment, supplies, vehicles and structures needed for the provision of emergency medical care or emergency medical services
- Requirements
 - For permanent EMS levies, and for the initial imposition of a six or 10 year levy, the ballot measure generally must be approved by supermajority vote, plus validated
 - Subsequent approvals of six or 10 year levy require majority voter approval, no validation
 - Considerations for overlapping taxing districts imposing the same levy
 - Subject to \$10 constitutional limit and 101% levy lid, but not \$5.90 statutory limit.
- *Narrow, statutorily dictated purpose; resilient, but growth cap may require periodic levy lid lifts; compare to limited purpose levy lid lift*
- *Voters have historically overwhelmingly approved these levies*



24

24

Voted Property Taxes: Excess Levy (Operations and Maintenance)

Voter Approved Excess Property Tax Levy (RCW 84.52.052, .054)

- Excess levy, no levy rate limit
- May be imposed for one year
- Can be imposed for any lawful governmental purpose; must be stated in ballot measure
 - Best used for temporary funding gaps (with exception for some jurisdictions that have used one year O&M levies for general operations)
- Excess levy – not subject to \$5.90 or \$10 constitutional property tax limit
- Requirements
 - Requires supermajority (60%) voter approval, plus validation requirements
- *Broad purpose; temporary*
- *Infrequently used*

Voted Property Taxes: Excess Levy (Bonds for Capital Projects)

Voter Approved Excess Property Tax Levy

- Excess levy, no levy rate limit
- Used to pay debt service on unlimited tax general obligation (“UTGO”) bonds
- Can only be issued for capital projects, not the replacement of equipment
- Voters approve the UTGO bonds to finance certain specified projects described in the ballot measure, and the accompanying excess property tax revenue stream to repay the bonds
- Levy amount set at rate to pay debt service
 - Levy ceases once UTGO bonds are no longer outstanding
- Consumes UTGO debt capacity
 - While levy rate is not limited, the amount of UTGO bonds that can be issued is subject to statutory and constitutional debt capacity limitations
 - 2.5% of AV in the year that the bonds are issued for cities
- Specific purpose (capital project); high voter approval hurdle; compare to/combine with levy lid lift

Tax Increment Financing

Tax increment financing, or “TIF,” is a traditional public financing method that has been used in countries, including the United States, for almost 70 years

- TIF is a “**value capture**” approach to financing public improvements
 - TIF bonds are issued to finance public improvements →
 - The bonds are paid from increased property taxes (the **captured value**) in the TIF area → generated by rising property value resulting from public improvements.
 - Constitutional issues in Washington due to State property tax for schools
 - Cycle interrupted by 101% limitation; new statute exempts TIF from 101% limit

Chapter 39.114 RCW

- Counties, cities and port districts (or any combination of the three) to form increment areas, and allocates regular property taxes of overlapping local taxing districts generated by increased property tax values within the increment area to the sponsoring entity to finance public improvement costs
- Public improvements eligible for TIF financing include street and sidewalk improvements, utility improvements, parking, terminal, and dock facilities, park and ride facilities or other transit facilities, park and community facilities and recreational areas, brownfield mitigation
- Increment areas limited by statute; process is highly statutory

Sales Taxes

Basic sales and use taxes for general purposes (RCW 82.14.030)

- First half cent (0.5%)
- Second half cent (0.5%)

Councilmanic

Use of revenues unrestricted – may be used for any lawful governmental purpose

Revenue sharing with county

- Currently imposed by all counties

Sales Taxes

Special purpose sales and use taxes

- Affordable housing sales tax credit (RCW 82.14.540)
 - SHB 1406 (effective 2019)
- Housing and related services sales tax (RCW 82.14.530)
 - Since 2020 voter approval is optional; now councilmanic option
 - Anacortes, Ellensburg, Olympia and Port Angeles have obtained voter approval for tax; other cities have enacted it councilmanically
- Other special purpose sales and use taxes, examples
 - Voted 0.1% cultural access sales tax (RCW 82.14.525, chapter 36.160 RCW); may be renewed by city council
 - Olympia and Tacoma have imposed this tax
 - Voted 0.1% public safety sales tax (RCW 82.14.450)
 - Revenues are partially restricted
 - Voted 0.1-0.9% transit sales tax (RCW 82.14.045)

Sales Taxes

New Sales Tax for Criminal Justice

- Effective July 27, 2025 Non-voted 1% sales tax to fund criminal justice (HB 2015, 2025 Session)
- Two parts that are separate but linked – grant (\$100 million program; expires June 2028) and the sales tax
- Sales tax is councilmanic through June 2028
- Broad use for public safety
- Need to meet the same requirements as the grant (but not receive the grant)
- ***AWC webinar – see for more information***

B&O and Utility Taxes

B&O (gross receipts) taxes (e.g. RCW 35.21.710)

- Cities may impose a B&O tax for revenue purposes upon those conducting business within their jurisdiction, in addition to any state business and occupation tax
- typically levied as a percentage of the businesses' gross receipts, less some deductions
- Use for city purposes
- Rates must be the same within a single business class (manufacturing, retail, etc.) but may vary between classes
- Maximum rate may not exceed 0.2% of gross receipts/income unless approved by voters
- Model ordinance contains mandatory and non-mandatory provisions

Utility taxes (e.g. RCW 35.21.870)

- Business and occupation tax upon the income (as defined by local ordinance) of public and private utilities providing services within the boundaries of a city, and/or upon the city's own municipal utilities (referred to as a "utility tax")
- Use for City purposes
- 6% cap for electric, gas, steam, and telephone services without simple majority voter approval
- Broadcast satellite TV & internet = may not be taxed
- Cable TV = tax rate may not be "unduly" discriminatory
- Sewer, Solid Waste, Stormwater, Water = no limit prescribed by state or federal law



31

Business and Utility Fees

General Business License Fees

- Cities may require individuals or businesses conducting business within their jurisdiction to obtain a local business license
- Use for City purposes; mainly recouping administrative costs

Regulatory Business License Fees

- Cities may require certain classes of business that need additional regulation and oversight to obtain an additional regulatory business license, in addition to the general business license.

Revenue-Generating Business License Fees (aka Head Tax)

- Cities may require certain classes of business that need additional regulation and oversight to obtain an additional regulatory business license, in addition to the general business license
- Charges may be based on number of employees, type of business, square footage, and other criteria
- Use unrestricted

Utility Rates and Charges

- Revenue used for any specified utility purpose
- RCW: 35.92 RCW; 35A.80 RCW



32

Real Estate Excise Taxes

REET 1 (RCW 82.46.010(2))

- 0.25% excise tax on each sale of real property
- To finance capital projects specified in a capital facilities plan element of a comprehensive plan

REET 2 (RCW 82.46.035(2))

- Additional 0.25% excise tax on each sale of real property
- To finance capital projects specified in a capital facilities plan element of a comprehensive plan

Councilmanic

2025 legislation – adds additional flexibility for use of REET revenue

- <https://mrsc.org/stay-informed/mrsc-insight/july-2025/2025-reet-legislation>



Impact Fees (Chap. 82.02 RCW)

- One-time charges on new development to finance “system improvements.”
- “System improvements” = public facilities included in the capital facilities plan element of a comprehensive land use plan adopted under the GMA
 - Must not exceed a proportionate share of the costs of system improvements that are reasonably related to the new development;
 - Must reasonably benefit the new development
 - Designed to provide service to community at large
- May be used for:
 - Public streets and roads
 - Publicly owned parks, open space, and recreation facilities
 - School facilities
 - Fire protection facilities



Local Improvement Districts

- Capital improvements in district are finance and paid for through special assessments on benefited property
- Assessment based on special benefit to property
 - Must be actual, not speculative
 - Measured in property value increase
 - Cannot substantially exceed benefit
 - Must be proportionate

Other Revenue Sources

Admission Tax

- Up to 5% of admission charge
- Councilmanic
- Use for any city purpose
- RCW 35.21.280

Commercial Parking Tax

- Tax on commercial parking business
- Councilmanic
- Use for transportation purposes
- RCW 82.80.030

Gambling Tax

- Tax on gambling activities
- Councilmanic
- Use for public safety purposes
- RCW 9.46.110

Ammunition Tax

- RCW 9.41.290, establishes a state preemption over firearms regulation, including ammunition. Cities generally cannot enact laws and ordinances relating to firearms that are inconsistent with, more restrictive than, or exceed the requirements of state law, except where specifically authorized
- Seattle imposes tax on firearms and ammunition; upheld by Supreme Court (tax was for revenue generation, not for regulation of firearms therefore not subject to preemption)
- RCW 82.80.030



Other Revenue Sources

Lodging Taxes

- Chapter 67.28 RCW
- Sale of or charge made for the furnishing of lodging that is subject to tax under chapter 82.08 RCW

Tourism Promotion Assessments

- Any city or town may form a tourism promotion area and impose charges up to \$2 per room per night. Effective June 11, 2020 to July 1, 2027 the city/town may impose an additional fee up to \$3 per room per night. Revenues used for "tourism promotion" as defined by statute

Franchise Fees

- RCW: 35.21.860

And many more ...

- See MRSC Revenue Guide for Cities, <https://mrsc.org/getmedia/d3f7f211-fc63-4b7a-b362-cb17993d5fe5/Revenue-Guide-For-Washington-Cities-and-Towns.pdf?ext=.pdf>



Transportation Benefit Districts

Formed by cities, counties (chapter 36.73 RCW)

- To raise revenue for transportation improvements
- Separate quasi-municipal authority unless assumed by forming city or county

Revenue Authority

- Vehicle license fees
 - Nonvoted
 - Up to \$20 initially
 - After a \$20 fee has been in effect for at least 24 months, the district may increase the fee up to \$40
 - After a \$40 fee has been in effect for at least 24 months, the district may increase the fee up to the maximum \$50
 - Voted
 - \$50-\$100 requires simple majority approval
- Sales and use tax
 - Nonvoted (up to 0.1% if TBD has same jurisdictional boundaries as forming entity)
 - Voted (up to 0.3% with simple majority approval)
- Impact fees
- Vehicle tolls

Metropolitan Park Districts

To manage, maintain, improve and acquire parks and rec facilities...

Formed with simple majority voter approval

Ballot requirements

- Composition of the initial board of commissioners
- District name
- Initial levy (required for limited purpose MPD)

Revenues

- User fees, lease/rental/concession revenues
- Nonvoted property tax levy (up to \$0.75/\$1000 AV)
- Voted excess property tax levy (capital or one-year O&M)
- Special benefit assessments



39

Public Facilities Districts

- Available to a city or contiguous cities in county with population under 1 million
 - Coextensive with boundaries of jurisdictions that create them
- Can develop, improve and operate “regional centers”
 - “convention, conference, or special events center, or any combination of facilities, and related parking facilities” (includes sports facilities)
- Revenue sources:
 - Voted 0.2% sales tax
 - Admissions taxes up to 5%
 - Parking taxes up to 10%
 - General obligation and revenue bonds
 - Lodging taxes
 - User charges and fees
 - State shared sales tax credits



40

Wrap Up – Thank you!

Resources:

- MRSC Revenue Guide for Cities, <https://mrsc.org/getmedia/d3f7f211-fc63-4b7a-b362-cb17993d5fe5/Revenue-Guide-For-Washington-Cities-and-Towns.pdf?ext=.pdf>
- AWC Resources, <https://wacities.org/>
- MRSC, <https://mrsc.org/>
- MRSC Local Ballot Measure Database, <https://mrsc.org/mrscstools/Elections.aspx>

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A Note: This presentation is for informational purposes and does not provide legal advice. It is not intended to be used or relied upon as legal advice in connection with any particular situation or facts.

41

41

Appendix A – Ballot Measure Considerations



42

General Ballot Measure Requirements

Local Measure General Ballot Title Requirements

- Main sections
 - o Identification of the enacting legislative body;
 - o A statement of the subject matter (*no more than 10 words long*);
 - o A concise description of the measure (*no more than 75 words long*); and
 - o A question (essentially, whether or not the proposition should be approved).

Other general ballot requirements to keep in mind

- For instance, single subject requirement

Statute governs content

- Requirements may include
 - Intended use of revenue
 - Levy rate (required for levy lid lifts) or not to exceed principal amount (required for voted bonds)
 - Term of levy
 - Other requirements
 - Number of nuances for levy lid lifts and UTGO bond measures, for instance
 - Laws change and requirements change



Consult with City Attorney and Bond Counsel

Process and Election Dates

City Council adopts an election ordinance or resolution

- Includes background and reason/need for levy
- Contains proposed ballot measure per state law requirements
- States which election the proposition will be considered by the voters
- Ordinance submitted to county before filing deadline

Upcoming Election Dates and Deadlines	
Election Date	Submission of Ballot Materials Deadline
November 4, 2025	August 5, 2025
February 10, 2026	December 12, 2025
April 28, 2026	February 27, 2026
August 4, 2026	May 2, 2026
November 4, 2026	August 5, 2026



Other Considerations – PDC Rules and Guidelines

Initiative 276

- Passed in 1972
- Overall goal: transparency and anti-corruption
- Origin of many “sunshine” laws:
 - Public Records Act
 - Campaign finance reporting requirements and campaign finance limits
 - Regulations on lobbyists
 - *Establishes Public Disclosure Commission and gives it enforcement power*

Municipalities must abide by PDC statutes and regulations in connection with communications or use of resources regarding a ballot measure

Dependent on facts and circumstances

Resources:

- AWC factsheet: Guidelines for elected and appointed officials
- PDC Guidelines for Local Government Agencies in Election Campaigns (PDC Interpretation No. 04-02), available at <https://www.pdc.wa.gov/learn/guidelines-local-government>
- PDC Election-Related Communications by Local Government Agencies, available at <https://www.pdc.wa.gov/sites/default/files/2021-09/Fact.Sheets.pdf>



45

45

PDC Considerations

Communicating with voters

When running a ballot measure, local governments must abide by PDC statutes and regulations regarding communications relating to the proposed ballot measure and the use of public resources and facilities to support or oppose the measure.

• Prohibited:

- Elected officials and staff using government facilities to promote or oppose ballot propositions

• Permitted:

- Governing Board resolution, and communication after adoption
- Individual, in personal capacity, with no use of government facilities
- “Normal and regular conduct”

• Tone, tenor, content considerations

- Objective, factual, and neutrally-worded information regarding the anticipated impacts of a ballot proposition versus promotional statements or activities, advocacy, statements (or pictures) designed to evoke an emotional response.



46

46

Practice Tip: Establish Normal and Regular Conduct Early

“Normal and regular conduct”

Update community members on a normal and regular basis

- Reminders to vote before every election (not just yours!)
- Reports on operations and capital expenditures and needs
- Updates on current levies/bonds project progress or investments
- Identifying current and future residential needs

Other Requirements

Pro/Con Committee Appointments

- Due by resolution/ordinance deadline
- Council appoints up to three members to each committee to prepare arguments advocating for or rejection of the measure to be included in the voters pamphlet
- Appointees must be known to favor the measure or oppose the measure, as appropriate
- New in 2025 – appointees must reside in the jurisdictional boundaries of the city proposing the measure
- If no appointment is made to a committee, the county auditor is responsible for soliciting and appointing members, as needed

Explanatory Statement

- Typically due by resolution/ordinance deadline
- Prepared by attorney for city (e.g. city attorney or bond counsel); can be approved by council (but not required)
- The explanatory statement describes, in neutral, non-biased and non-persuasive terms, what the ballot measure would do and what its impacts would be
- The word limits (e.g. 175-250 words) and any other requirements are determined by each county's election rules

Coversheet (if required by county's election rules)

Always consult the specific laws applicable to your jurisdiction and ballot measure type, as well the elections administrative rules adopted by your county