

AMENDED IN SENATE MAY 12, 2009

**Senate Constitutional Amendment**

**No. 2**

**Introduced by Senator Wyland**  
*(Coauthor: Senator Strickland)*

December 1, 2008

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Senate Constitutional Amendment No. 2—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending, repealing, and adding Sections 3, 8, 10, 11, and 12 of Article IV thereof, by amending, repealing, and adding Section 6 of Article XIX thereof, and by amending, repealing, and adding Section 1 of Article XIX A thereof, relating to legislative sessions.

LEGISLATIVE COUNSEL'S DIGEST

SCA 2, as amended, Wyland. Revised biennial session.

(1) The California Constitution requires the Legislature to convene in regular biennial session at noon on the first Monday in December of each even-numbered year to consider legislation and the Budget Bill.

This measure would require the Legislature to convene in regular biennial session, but would require, commencing on December 6, 2010, that the sessions held in odd-numbered years be budget sessions, and sessions held in even-numbered years be general sessions. The measure would require the Legislature in the budget session to adopt budget bills for each of the two subsequent fiscal years. The measure would prohibit the Legislature, during a budget session, from considering legislation other than the budget bills and related revenue bills, except bills addressing a declared state of emergency or urgency statutes. Urgency statutes would require a  $\frac{3}{4}$  vote of the membership in each house for passage during a budget session.

The measure would provide that at general sessions the Legislature may consider any legislation other than budget bills, except under specified conditions.

(2) The California Constitution requires that a budget be submitted by the Governor, and that the Legislature pass a Budget Act on or before June 15. Funds may be expended from the State Treasury for support of the state government only through an appropriation made by the Legislature.

This measure would require, in each odd-numbered calendar year, commencing in 2011, that the Governor submit to the Legislature two proposed budgets for the two subsequent fiscal years, respectively.

The measure would provide, commencing with the 2011–12 fiscal year, that if the Budget Act is not enacted by July 1, unspecified amounts are appropriated from the General Fund and other funds and sources to the Controller for allocation by the Director of Finance to pay the current expenses for critical services of the state government, excluding salaries and per diem of Members of the Legislature, not exceeding the amounts expended to fund those services for the preceding fiscal year.

(3) The California Constitution authorizes each house of the Legislature to provide for the selection of committees necessary for the conduct of its business, including committees to ascertain facts and make recommendations to the Legislature on a subject within the scope of legislative control.

This measure would require, during a budget session, that each standing policy committee of each house of the Legislature function as a budget subcommittee to make recommendations, to the standing committee of each house of the Legislature that considers the budget, proposed amendments to the pending budget bill, relative to the adoption or modification of budget bill matters within the subject area of the standing policy committee. The measure would, after each budget bill has been passed, require each standing policy committee to meet for purposes of oversight and review of programs within the subject area of the committee.

(4) The California Constitution permits revenues from taxes imposed by the State on motor vehicle fuels and funds in the Public Transportation Account in the State Transportation Fund to be loaned to the General Fund. That loan is required to be repaid in full either during the same fiscal year in which the loan was made or within 3 fiscal years from the date on which the loan was made if specified conditions apply. If the loan is to be repaid in full during the same fiscal

year, the repayment may be delayed until a date not more than 30 days after the date of enactment of the budget bill for the subsequent fiscal year.

The measure would provide that the repayment may be delayed until a date not more than 30 days after the date of enactment of the budget bill for the subsequent fiscal year, or July 31 of that subsequent fiscal year, whichever is later.

Vote:  $\frac{2}{3}$ . Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

1     *Resolved by the Senate, the Assembly concurring,* That the  
2     Legislature of the State of California at its 2009–10 Regular  
3     Session commencing on the first day of December 2008, two-thirds  
4     of the membership of each house concurring, hereby proposes to  
5     the people of the State of California that the Constitution of the  
6     State be amended as follows:

7     First—That Section 3 of Article IV thereof is amended to read:

8     SEC. 3. (a) The Legislature shall convene in regular session  
9     at noon on the first Monday in December of each even-numbered  
10    year and each house shall immediately organize. Each session of  
11    the Legislature shall adjourn sine die by operation of the  
12    Constitution at midnight on November 30 of the following  
13    even-numbered year.

14    (b) On extraordinary occasions the Governor by proclamation  
15    may cause the Legislature to assemble in special session. When  
16    so assembled it has power to legislate only on subjects specified  
17    in the proclamation but may provide for expenses and other matters  
18    incidental to the session.

19    (c) This section does not apply to any legislative session  
20    commencing on or after December 6, 2010. This section shall  
21    remain in effect until December 6, 2010, and as of that date is  
22    repealed. Section 3 of Article IV, as added by the measure that  
23    added this subdivision, shall apply to legislative sessions  
24    commencing on or after December 6, 2010.

25    Second—That Section 3 is added to Article IV thereof, to read:

26    SEC. 3. (a) The Legislature shall convene in biennial regular  
27    session at noon on the first Monday in December of each  
28    even-numbered year and each house shall immediately organize.  
29    Each regular session of the Legislature shall adjourn sine die by

1 operation of the Constitution at midnight on November 30 of the  
2 following even-numbered year.

3 (b) Odd-numbered years of the biennial regular session, together  
4 with the immediately preceding December upon organization of  
5 each house, shall be known as budget sessions. In a budget session,  
6 the Legislature shall consider only budget bills for the succeeding  
7 two fiscal years, and revenue bills necessary therefor, except as  
8 follows:

9 (1) The Legislature may consider a bill to address an emergency  
10 declared by the Governor, subject to all of the following:

11 (A) A resolution is adopted, by rollcall vote entered in the  
12 journal, two-thirds of the membership of each house concurring,  
13 declaring that a state of emergency exists.

14 (B) Each bill referred to a committee, or taken up on the floor,  
15 shall be germane to the declared state of emergency.

16 (C) Each bill described in subparagraph (B) shall be passed by  
17 rollcall vote entered in the journal, two-thirds of the membership  
18 of each house concurring.

19 (D) As used in this paragraph, “emergency” means the existence,  
20 as declared by the Governor, of conditions of disaster or of extreme  
21 peril to the safety of persons and property within the State, or parts  
22 thereof, caused by such conditions as attack or probable or  
23 imminent attack by an enemy of the United States, fire, flood,  
24 drought, storm, civil disorder, earthquake, or volcanic eruption.

25 (2) The Legislature may consider a bill to enact an urgency  
26 statute that satisfies paragraphs (1) and (2) of subdivision (d) of  
27 Section 8.

28 (c) (1) Even-numbered years of the biennial regular session  
29 shall be known as general sessions, at which any legislation other  
30 than the budget bills may be considered.

31 (2) If the estimate of General Fund revenues upon which the  
32 budget bill enacted for a fiscal year was based is determined to  
33 exceed General Fund revenues for that fiscal year by more than 6  
34 percent, or General Fund expenditures for the fiscal year are  
35 determined to exceed that estimate of General Fund revenues by  
36 more than 6 percent, the Legislature may meet in the general  
37 session to amend or augment the budget act for that fiscal year. A  
38 bill in the general session to amend or augment the budget act shall  
39 contain a finding that the bill satisfies the requirements of this  
40 paragraph.

1 (d) On extraordinary occasions the Governor by proclamation  
2 may cause the Legislature to assemble in special session. When  
3 so assembled it has power to legislate only on subjects specified  
4 in the proclamation but may provide for expenses and other matters  
5 incidental to the session.

6 Third—That Section 8 of Article IV thereof is amended to read:

7 SEC. 8. (a) At regular sessions no bill other than the budget  
8 bill may be heard or acted on by committee or either house until  
9 the 31st day after the bill is introduced unless the house dispenses  
10 with this requirement by rollcall vote entered in the journal,  
11 three-fourths of the membership concurring.

12 (b) The Legislature may make no law except by statute and may  
13 enact no statute except by bill. No bill may be passed unless it is  
14 read by title on three days in each house except that the house may  
15 dispense with this requirement by rollcall vote entered in the  
16 journal, two-thirds of the membership concurring. No bill may be  
17 passed until the bill with amendments has been printed and  
18 distributed to the Members. No bill may be passed unless, by  
19 rollcall vote entered in the journal, a majority of the membership  
20 of each house concurs.

21 (c) (1) Except as provided in paragraphs (2) and (3), a statute  
22 enacted at a regular session shall go into effect on January 1 next  
23 following a 90-day period from the date of enactment of the statute  
24 and a statute enacted at a special session shall go into effect on the  
25 91st day after adjournment of the special session at which the bill  
26 was passed.

27 (2) A statute, other than a statute establishing or changing  
28 boundaries of any legislative, congressional, or other election  
29 district, enacted by a bill passed by the Legislature on or before  
30 the date the Legislature adjourns for a joint recess to reconvene in  
31 the second calendar year of the biennium of the legislative session,  
32 and in the possession of the Governor after that date, shall go into  
33 effect on January 1 next following the enactment date of the statute  
34 unless, before January 1, a copy of a referendum petition affecting  
35 the statute is submitted to the Attorney General pursuant to  
36 subdivision (d) of Section 10 of Article II, in which event the  
37 statute shall go into effect on the 91st day after the enactment date  
38 unless the petition has been presented to the Secretary of State  
39 pursuant to subdivision (b) of Section 9 of Article II.

1 (3) Statutes calling elections, statutes providing for tax levies  
2 or appropriations for the usual current expenses of the State, and  
3 urgency statutes shall go into effect immediately upon their  
4 enactment.

5 (d) Urgency statutes are those necessary for immediate  
6 preservation of the public peace, health, or safety. A statement of  
7 facts constituting the necessity shall be set forth in one section of  
8 the bill. In each house the section and the bill shall be passed  
9 separately, each by rollcall vote entered in the journal, two-thirds  
10 of the membership concurring. An urgency statute may not create  
11 or abolish any office or change the salary, term, or duties of any  
12 office, or grant any franchise or special privilege, or create any  
13 vested right or interest.

14 (e) This section does not apply to any legislative session  
15 commencing on or after December 6, 2010. This section shall  
16 remain in effect until December 6, 2010, and as of that date is  
17 repealed. Section 8 of Article IV, as added by the measure that  
18 added this subdivision, shall apply to legislative sessions  
19 commencing on or after December 6, 2010.

20 Fourth—That Section 8 is added to Article IV thereof, to read:

21 SEC. 8. (a) At a general session no bill may be heard or acted  
22 on by committee or either house until the 31st day after the bill is  
23 introduced unless the house dispenses with this requirement by  
24 rollcall vote entered in the journal, three-fourths of the membership  
25 concurring.

26 (b) The Legislature may make no law except by statute and may  
27 enact no statute except by bill. No bill may be passed unless it is  
28 read by title on three days in each house except that the house may  
29 dispense with this requirement by rollcall vote entered in the  
30 journal, two-thirds of the membership concurring. No bill may be  
31 passed until the bill with amendments has been printed and  
32 distributed to the Members. No bill may be passed unless, by  
33 rollcall vote entered in the journal, a majority of the membership  
34 of each house concurs.

35 (c) (1) Except as provided in paragraph (2), a statute enacted  
36 at a regular session shall go into effect on January 1 next following  
37 a 90-day period from the date of enactment of the statute and a  
38 statute enacted at a special session shall go into effect on the 91st  
39 day after adjournment of the special session at which the bill was  
40 passed.

1 (2) Statutes calling elections, statutes providing for tax levies  
2 or appropriations for the usual current expenses of the State, and  
3 urgency statutes shall go into effect immediately upon their  
4 enactment.

5 (d) (1) Urgency statutes are those necessary for immediate  
6 preservation of the public peace, health, or safety. A statement of  
7 facts constituting the necessity shall be set forth in one section of  
8 the bill. An urgency statute may not create or abolish any office,  
9 change the salary, term, or duties of any office, grant any franchise  
10 or special privilege, or create any vested right or interest.

11 (2) In a budget session, each house shall pass separately the  
12 section and the bill, each by rollcall vote entered in the journal,  
13 three-fourths of the membership concurring.

14 (3) In a general session, each house shall pass separately the  
15 section and the bill, each by rollcall vote entered in the journal,  
16 two-thirds of the membership concurring.

17 Fifth—That Section 10 of Article IV thereof is amended to read:

18 SEC. 10. (a) Each bill passed by the Legislature shall be  
19 presented to the Governor. ~~It~~ A *bill* becomes a statute if it is signed  
20 by the Governor. The Governor may veto ~~it~~ a *bill* by returning it  
21 with any objections to the house of origin, which shall enter the  
22 objections in the journal and proceed to reconsider it. If each house  
23 then passes the bill by rollcall vote entered in the journal, two-thirds  
24 of the membership concurring, it becomes a statute.

25 (b) (1) Any bill, other than a bill which would establish or  
26 change boundaries of any legislative, congressional, or other  
27 election district, passed by the Legislature on or before the date  
28 the Legislature adjourns for a joint recess to reconvene in the  
29 second calendar year of the biennium of the legislative session,  
30 and in the possession of the Governor after that date, that is not  
31 returned within 30 days after that date becomes a statute.

32 (2) Any bill passed by the Legislature before September 1 of  
33 the second calendar year of the biennium of the legislative session  
34 and in the possession of the Governor on or after September 1 that  
35 is not returned on or before September 30 of that year becomes a  
36 statute.

37 (3) Any other bill presented to the Governor that is not returned  
38 within 12 days becomes a statute.

39 (4) If the Legislature by adjournment of a special session  
40 prevents the return of a bill with the veto message, the bill becomes

1 a statute unless the Governor vetoes the bill within 12 days after  
2 it is presented by depositing it and the veto message in the office  
3 of the Secretary of State.

4 (5) If the 12th day of the period within which the Governor is  
5 required to perform an act pursuant to paragraph (3) or (4) is a  
6 Saturday, Sunday, or holiday, the period is extended to the next  
7 day that is not a Saturday, Sunday, or holiday.

8 (c) Any bill introduced during the first year of the biennium of  
9 the legislative session that has not been passed by the house of  
10 origin by January 31 of the second calendar year of the biennium  
11 may no longer be acted on by the house. No bill may be passed  
12 by either house on or after September 1 of an even-numbered year  
13 except statutes calling elections, statutes providing for tax levies  
14 or appropriations for the usual current expenses of the State, and  
15 urgency statutes, and bills passed after being vetoed by the  
16 Governor.

17 (d) The Legislature may not present any bill to the Governor  
18 after November 15 of the second calendar year of the biennium of  
19 the legislative session.

20 (e) The Governor may reduce or eliminate one or more items  
21 of appropriation while approving other portions of a bill. The  
22 Governor shall append to the bill a statement of the items reduced  
23 or eliminated with the reasons for the action. The Governor shall  
24 transmit to the house originating the bill a copy of the statement  
25 and reasons. Items reduced or eliminated shall be separately  
26 reconsidered and may be passed over the Governor's veto in the  
27 same manner as bills.

28 (f) (1) If, following the enactment of the budget bill for the  
29 2004–05, 2005–06, 2006–07, 2007–08, 2008–09, 2009–10, or  
30 2010–11 fiscal year, the Governor determines that, for that fiscal  
31 year, General Fund revenues will decline substantially below the  
32 estimate of General Fund revenues upon which the budget bill for  
33 that fiscal year, as enacted, was based, or General Fund  
34 expenditures will increase substantially above that estimate of  
35 General Fund revenues, or both, the Governor may issue a  
36 proclamation declaring a fiscal emergency and shall thereupon  
37 cause the Legislature to assemble in special session for this  
38 purpose. The proclamation shall identify the nature of the fiscal  
39 emergency and shall be submitted by the Governor to the



1 Legislature, accompanied by proposed legislation to address the  
2 fiscal emergency.

3 (2) If the Legislature fails to pass and send to the Governor a  
4 bill or bills to address the fiscal emergency by the 45th day  
5 following the issuance of the proclamation, the Legislature may  
6 not act on any other bill, nor may the Legislature adjourn for a  
7 joint recess, until that bill or those bills have been passed and sent  
8 to the Governor.

9 (3) A bill addressing the fiscal emergency declared pursuant to  
10 this section shall contain a statement to that effect.

11 (g) (1) This section does not apply to any legislative session  
12 commencing on or after December 6, 2010. This section shall no  
13 longer be operative as of December 6, 2010, and as of July 1, 2011,  
14 is repealed. Section 10 of Article IV, as added by the measure that  
15 added this subdivision, shall apply to legislative sessions  
16 commencing on or after December 6, 2010.

17 (2) Notwithstanding paragraph (1), subdivision (f) shall remain  
18 in effect until July 1, 2011.

19 Sixth—That Section 10 is added to Article IV thereof, to read:

20 SEC. 10. (a) Each bill passed by the Legislature shall be  
21 presented to the Governor. It becomes a statute if it is signed by  
22 the Governor. The Governor may veto it by returning it with any  
23 objections to the house of origin, which shall enter the objections  
24 in the journal and proceed to reconsider it. If each house then  
25 passes the bill by rollcall vote entered in the journal, two-thirds of  
26 the membership concurring, it becomes a statute.

27 (b) (1) Any bill passed by the Legislature in a budget session  
28 or general session before September 1 and in the possession of the  
29 Governor on or after September 1 that is not returned on or before  
30 September 30 of that year becomes a statute.

31 (2) Any other bill presented to the Governor that is not returned  
32 within 12 days becomes a statute.

33 (3) If the Legislature by adjournment of a special session  
34 prevents the return of a bill with the veto message, the bill becomes  
35 a statute unless the Governor vetoes the bill within 12 days after  
36 it is presented by depositing it and the veto message in the office  
37 of the Secretary of State.

38 (4) If the 12th day of the period within which the Governor is  
39 required to perform an act pursuant to paragraph (2) or (3) is a

1 Saturday, Sunday, or holiday, the period is extended to the next  
2 day that is not a Saturday, Sunday, or holiday.

3 (c) No bill may be passed by either house on or after September  
4 1 of a general session except statutes calling elections, statutes  
5 providing for tax levies or appropriations for the usual current  
6 expenses of the State, and urgency statutes, and bills passed after  
7 being vetoed by the Governor.

8 (d) The Legislature shall not present to the Governor any bill  
9 passed in a budget session or general session after November 15.

10 (e) The Governor may reduce or eliminate one or more items  
11 of appropriation while approving other portions of a bill. The  
12 Governor shall append to the bill a statement of the items reduced  
13 or eliminated with the reasons for the action. The Governor shall  
14 transmit to the house originating the bill a copy of the statement  
15 and reasons. Items reduced or eliminated shall be separately  
16 reconsidered and may be passed over the Governor's veto in the  
17 same manner as bills.

18 (f) (1) If, following the enactment of a budget bill for 2011–12  
19 fiscal year or any subsequent fiscal year, the Governor determines  
20 that, for that fiscal year, General Fund revenues will decline  
21 substantially below the estimate of General Fund revenues upon  
22 which the budget bill for that fiscal year, as enacted, was based,  
23 or General Fund expenditures will increase substantially above  
24 that estimate of General Fund revenues, or both, the Governor may  
25 issue a proclamation declaring a fiscal emergency and shall  
26 thereupon cause the Legislature to assemble in special session for  
27 this purpose. The proclamation shall identify the nature of the  
28 fiscal emergency and shall be submitted by the Governor to the  
29 Legislature, accompanied by proposed legislation to address the  
30 fiscal emergency.

31 (2) If the Legislature fails to pass and send to the Governor a  
32 bill or bills to address the fiscal emergency by the 45th day  
33 following the issuance of the proclamation, the Legislature may  
34 not act on any other bill, nor may the Legislature adjourn for a  
35 joint recess, until that bill or those bills have been passed and sent  
36 to the Governor.

37 (3) A bill addressing the fiscal emergency declared pursuant to  
38 this subdivision shall contain a statement to that effect.

39 Seventh—That Section 11 of Article IV thereof is amended to  
40 read:

1 SEC. 11. (a) The Legislature or either house may by resolution  
2 provide for the selection of committees necessary for the conduct  
3 of its business, including committees to ascertain facts and make  
4 recommendations to the Legislature on a subject within the scope  
5 of legislative control.

6 (b) This section does not apply to any legislative session  
7 commencing on or after December 6, 2010. This section shall  
8 remain in effect until December 6, 2010, and as of that date is  
9 repealed. Section 11 of Article IV, as added by the measure that  
10 added this subdivision, shall apply to legislative sessions  
11 commencing on or after December 6, 2010.

12 Eighth—That Section 11 is added to Article IV thereof, to read:

13 SEC. 11. (a) The Legislature or either house may by resolution  
14 provide for the selection of committees necessary for the conduct  
15 of its business, including committees to ascertain facts and make  
16 recommendations to the Legislature on a subject within the scope  
17 of legislative control.

18 (b) During a budget session, all of the following shall apply:

19 (1) Each standing policy committee of each house shall function  
20 as a budget subcommittee to consider and recommend, to the  
21 standing committee of each house that considers the budget,  
22 proposed amendments to the pending budget bills, relative to the  
23 adoption or modification of items or other provisions of those  
24 budget bills within the subject area of the standing policy  
25 committee.

26 (2) The standing committee of each house that considers the  
27 budget shall, by majority vote of the membership of the committee,  
28 adopt proposed amendments to each budget bill and report each  
29 budget bill out of committee.

30 (3) After each budget bill is enacted, each standing policy  
31 committee of each house shall meet for purposes of oversight and  
32 review of programs within the subject area of the committee.

33 Ninth—That Section 12 of Article IV thereof is amended to  
34 read:

35 SEC. 12. (a) Within the first 10 days of each calendar year,  
36 the Governor shall submit to the Legislature, with an explanatory  
37 message, a budget for the ensuing fiscal year containing itemized  
38 statements for recommended state expenditures and estimated state  
39 revenues. If recommended expenditures exceed estimated revenues,

1 the Governor shall recommend the sources from which the  
2 additional revenues should be provided.

3 (b) The Governor and the Governor-elect may require a state  
4 agency, officer, or employee to furnish whatever information is  
5 deemed necessary to prepare the budget.

6 (c) (1) The budget shall be accompanied by a budget bill  
7 itemizing recommended expenditures.

8 (2) The budget bill shall be introduced immediately in each  
9 house by the persons chairing the committees that consider the  
10 budget.

11 (3) The Legislature shall pass the budget bill by midnight on  
12 June 15 of each year.

13 (4) Until the budget bill has been enacted, the Legislature shall  
14 not send to the Governor for consideration any bill appropriating  
15 funds for expenditure during the fiscal year for which the budget  
16 bill is to be enacted, except emergency bills recommended by the  
17 Governor or appropriations for the salaries and expenses of the  
18 Legislature.

19 (d) No bill except the budget bill may contain more than one  
20 item of appropriation, and that for one certain, expressed purpose.  
21 Appropriations from the General Fund of the State, except  
22 appropriations for the public schools, are void unless passed in  
23 each house by rollcall vote entered in the journal, two-thirds of  
24 the membership concurring.

25 (e) The Legislature may control the submission, approval, and  
26 enforcement of budgets and the filing of claims for all state  
27 agencies.

28 (f) For the 2004–05, 2005–06, 2006–07, 2007–08, 2008–09,  
29 2009–10, and 2010–11 fiscal years, the Legislature may not send  
30 to the Governor for consideration, nor may the Governor sign into  
31 law, a budget bill that would appropriate from the General Fund,  
32 for that fiscal year, a total amount that, when combined with all  
33 appropriations from the General Fund for that fiscal year made as  
34 of the date of the budget bill's passage, and the amount of any  
35 General Fund moneys transferred to the Budget Stabilization  
36 Account for that fiscal year pursuant to Section 20 of Article XVI,  
37 exceeds General Fund revenues for that fiscal year estimated as  
38 of the date of the budget bill's passage. That estimate of General  
39 Fund revenues shall be set forth in the budget bill passed by the  
40 Legislature.

1 (g) This section does not apply to the budget or budget bill for  
2 any fiscal period commencing on or after July 1, 2011. This section  
3 shall remain in effect until July 1, 2011, and as of that date is  
4 repealed. Section 12 of Article IV, as added by the measure that  
5 added this subdivision, shall apply to the budget and budget bill  
6 for fiscal periods commencing on or after July 1, 2011.

7 Tenth—That Section 12 is added to Article IV thereof, to read:

8 SEC. 12. (a) Within the first 10 days of each odd-numbered  
9 calendar year, the Governor shall submit to the Legislature, with  
10 an explanatory message, a separate budget for each of the two  
11 subsequent fiscal years thereafter commencing on July 1,  
12 containing itemized statements for recommended state expenditures  
13 and estimated state revenues. If recommended expenditures exceed  
14 estimated revenues, the Governor shall recommend the sources  
15 from which the additional revenues should be provided.

16 (b) The Governor and the Governor-elect may require a state  
17 agency, officer, or employee to furnish any information that is  
18 deemed necessary to prepare each budget.

19 (c) (1) Each budget shall be accompanied by a budget bill  
20 itemizing recommended expenditures for the applicable fiscal year.

21 (2) The budget bills shall be introduced immediately in each  
22 house by the persons chairing the committees that consider the  
23 budget.

24 (3) The Legislature shall pass the budget bills by midnight on  
25 June 15 of the odd-numbered calendar year.

26 (4) Until the budget bills are enacted, the Legislature shall not  
27 send to the Governor for consideration any bill appropriating funds  
28 for expenditure during either of the two subsequent fiscal years  
29 for which the budget bills are to be enacted, except emergency  
30 bills recommended by the Governor or appropriations for the  
31 salaries and expenses of the Legislature.

32 (d) No bill except a budget bill may contain more than one item  
33 of appropriation, and that for one certain, expressed purpose.  
34 Appropriations from the General Fund of the State, except  
35 appropriations for the public schools, are void unless passed in  
36 each house by rollcall vote entered in the journal, two-thirds of  
37 the membership concurring.

38 (e) The Legislature may control the submission, approval, and  
39 enforcement of budgets and the filing of claims for all state  
40 agencies.

(f) For the fiscal year beginning July 1, 2011, and every July 1 thereafter, the Legislature shall not send to the Governor for consideration, nor may the Governor sign into law, a budget bill that would appropriate from the General Fund, for that fiscal year, a total amount that, when combined with all appropriations from the General Fund for that fiscal year made as of the date of the budget bill's passage and with the amount of any General Fund moneys transferred to the Budget Stabilization Account for that fiscal year pursuant to Section 20 of Article XVI, exceeds General Fund revenues for that fiscal year estimated as of the date of the budget bill's passage. That estimate of General Fund revenues shall be set forth in the budget bill passed by the Legislature.

(g) (1) For any fiscal year commencing on or after July 1, 2011, for which the budget bill has not been enacted as of July 1 of that fiscal year, for the period from July 1 until the date of enactment of the budget bill for that fiscal year, inclusive, funds are hereby appropriated to the Controller from the funds and sources set forth described in paragraph (2), and are available for allocation by the Director of Finance for the exclusive purpose of the payment of current expenses for critical services of the government of the State of California, excluding salaries and per diem of Members of the Legislature, not to exceed the amounts expended to fund those services for the immediately preceding fiscal year.

(2) The Director of Finance shall allocate the funds appropriated in paragraph (1) from the General Fund and, as applicable, special funds, bond funds, federal funds, and reimbursements.

Eleventh—That Section 6 of Article XIX thereof is amended to read:

SEC. 6. (a) The tax revenues designated under this article may be loaned to the General Fund only if one of the following conditions is imposed:

(1) That any amount loaned is to be repaid in full to the fund from which it was borrowed during the same fiscal year in which the loan was made, except that repayment may be delayed until a date not more than 30 days after the date of enactment of the budget bill for the subsequent fiscal year.

(2) That any amount loaned is to be repaid in full to the fund from which it was borrowed within three fiscal years from the date on which the loan was made and one of the following has occurred:

1 (A) The Governor has proclaimed a state of emergency and  
2 declares that the emergency will result in a significant negative  
3 fiscal impact to the General Fund.

4 (B) The aggregate amount of General Fund revenues for the  
5 current fiscal year, as projected by the Governor in a report to the  
6 Legislature in May of the current fiscal year, is less than the  
7 aggregate amount of General Fund revenues for the previous fiscal  
8 year, adjusted for the change in the cost of living and the change  
9 in population, as specified in the budget submitted by the Governor  
10 pursuant to Section 12 of Article IV in the current fiscal year.

11 (3) Nothing in this section prohibits the Legislature from  
12 authorizing, by statute, loans to local transportation agencies, cities,  
13 counties, or cities and counties, from funds that are subject to this  
14 article, for the purposes authorized under this article. Any loan  
15 authorized as described by this subdivision shall be repaid, with  
16 interest at the rate paid on money in the Pooled Money Investment  
17 Account, or any successor to that account, during the period of  
18 time that the money is loaned, to the fund from which it was  
19 borrowed, not later than four years after the date on which the loan  
20 was made.

21 (b) This section does not apply to any legislative session  
22 commencing on or after December 6, 2010. This section shall  
23 remain in effect until December 6, 2010, and as of that date is  
24 repealed. Section 6 of Article XIX, as added by the measure that  
25 added this subdivision, shall apply to legislative sessions  
26 commencing on or after December 6, 2010.

27 Twelfth—That Section 6 is added to Article XIX thereof, to  
28 read:

29 SEC. 6. The tax revenues designated under this article may be  
30 loaned to the General Fund only if one of the following conditions  
31 is imposed:

32 (a) That any amount loaned is to be repaid in full to the fund  
33 from which it was borrowed during the same fiscal year in which  
34 the loan was made, except that repayment may be delayed until a  
35 date not more than 30 days after the date of enactment of the budget  
36 bill for the subsequent fiscal year, or July 31 of that subsequent  
37 fiscal year, whichever is later.

38 (b) That any amount loaned is to be repaid in full to the fund  
39 from which it was borrowed within three fiscal years from the date  
40 on which the loan was made and one of the following has occurred:

1 (1) The Governor has proclaimed a state of emergency and  
2 declares that the emergency will result in a significant negative  
3 fiscal impact to the General Fund.

4 (2) The aggregate amount of General Fund revenues for the  
5 current fiscal year, as projected by the Governor in a report to the  
6 Legislature in May of the current fiscal year, is less than the  
7 aggregate amount of General Fund revenues for the previous fiscal  
8 year, adjusted for the change in the cost of living and the change  
9 in population, as specified in the budget submitted by the Governor  
10 pursuant to Section 12 of Article IV in the current fiscal year.

11 (c) Nothing in this section prohibits the Legislature from  
12 authorizing, by statute, loans to local transportation agencies, cities,  
13 counties, or cities and counties, from funds that are subject to this  
14 article, for the purposes authorized under this article. Any loan  
15 authorized as described by this subdivision shall be repaid, with  
16 interest at the rate paid on money in the Pooled Money Investment  
17 Account, or any successor to that account, during the period of  
18 time that the money is loaned, to the fund from which it was  
19 borrowed, not later than four years after the date on which the loan  
20 was made.

21 Thirteenth—That Section 1 of Article XIX A thereof is amended  
22 to read:

23 SECTION 1. (a) The funds in the Public Transportation  
24 Account in the State Transportation Fund, or any successor to that  
25 account, may be loaned to the General Fund only if one of the  
26 following conditions is imposed:

27 (1) That any amount loaned is to be repaid in full to the account  
28 during the same fiscal year in which the loan was made, except  
29 that repayment may be delayed until a date not more than 30 days  
30 after the date of enactment of the budget bill for the subsequent  
31 fiscal year.

32 (2) That any amount loaned is to be repaid in full to the account  
33 within three fiscal years from the date on which the loan was made  
34 and one of the following has occurred:

35 (A) The Governor has proclaimed a state of emergency and  
36 declares that the emergency will result in a significant negative  
37 fiscal impact to the General Fund.

38 (B) The aggregate amount of General Fund revenues for the  
39 current fiscal year, as projected by the Governor in a report to the  
40 Legislature in May of the current fiscal year, is less than the



1 aggregate amount of General Fund revenues for the previous fiscal  
2 year, as specified in the budget submitted by the Governor pursuant  
3 to Section 12 of Article IV in the current fiscal year.

4 (b) This section does not apply to any legislative session  
5 commencing on or after December 6, 2010. This section shall  
6 remain in effect until December 6, 2010, and as of that date is  
7 repealed. Section 1 of Article XIX A, as added by the measure that  
8 added this subdivision, shall apply to legislative sessions  
9 commencing on or after December 6, 2010.

10 Fourteenth—That Section 1 is added to Article XIX A thereof,  
11 to read:

12 SECTION 1. The funds in the Public Transportation Account  
13 in the State Transportation Fund, or any successor to that account,  
14 may be loaned to the General Fund only if one of the following  
15 conditions is imposed:

16 (a) That any amount loaned is to be repaid in full to the account  
17 during the same fiscal year in which the loan was made, except  
18 that repayment may be delayed until a date not more than 30 days  
19 after the date of enactment of the budget bill for the subsequent  
20 fiscal year, or July 31 of that subsequent fiscal year, whichever is  
21 later.

22 (b) That any amount loaned is to be repaid in full to the account  
23 within three fiscal years from the date on which the loan was made  
24 and one of the following has occurred:

25 (1) The Governor has proclaimed a state of emergency and  
26 declares that the emergency will result in a significant negative  
27 fiscal impact to the General Fund.

28 (2) The aggregate amount of General Fund revenues for the  
29 current fiscal year, as projected by the Governor in a report to the  
30 Legislature in May of the current fiscal year, is less than the  
31 aggregate amount of General Fund revenues for the previous fiscal  
32 year, as specified in the budget submitted by the Governor pursuant  
33 to Section 12 of Article IV in the current fiscal year.