

**Introduced by Senator Wyland**

May 5, 2010

---

Senate Constitutional Amendment No. 32—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 12 of Article IV thereof, relating to the Legislature.

LEGISLATIVE COUNSEL'S DIGEST

SCA 32, as introduced, Wyland. Legislature: Budget Bill: passage requirements.

Existing constitutional provisions require that the Budget Bill be introduced in each house immediately after the Governor submits his or her budget to the Legislature. Existing constitutional provisions also require the Legislature to pass the Budget Bill by midnight on June 15 of each year.

This measure would require that the Budget Bill and any budget implementation bill, as defined, be printed and distributed to the members of a house considering either bill and made available to the public at least 14 calendar days before a vote in that house on the passage of either bill. The measure would provide that its requirements could be satisfied by electronic publication and distribution of the bills.

Vote:  $\frac{2}{3}$ . Appropriation: no. Fiscal committee: no.  
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

1 the people of the State of California that the Constitution of the  
2 State be amended as follows:

3 That Section 12 of Article IV thereof is amended to read:

4 SEC. 12. (a) Within the first 10 days of each calendar year,  
5 the Governor shall submit to the Legislature, with an explanatory  
6 message, a budget for the ensuing fiscal year containing itemized  
7 statements for recommended state expenditures and estimated state  
8 revenues. If recommended expenditures exceed estimated revenues,  
9 the Governor shall recommend the sources from which the  
10 additional revenues should be provided.

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

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

16 (2) The budget bill shall be introduced immediately in each  
17 house by the persons chairing the committees that consider the  
18 budget.

19 (3) *At least 14 calendar days before a house votes on either the*  
20 *budget bill or a budget implementation bill, the bill under*  
21 *consideration shall be printed and distributed to the members of*  
22 *that house and made available to the public for review. For*  
23 *purposes of this section, a “budget implementation bill” is a bill*  
24 *containing changes in law necessary to implement the budget bill,*  
25 *“printed and distributed” includes electronic publication and*  
26 *distribution, and a bill may be “made available to the public”*  
27 *through electronic publication and distribution.*

28 ~~(3)~~

29 (4) The Legislature shall pass the budget bill by midnight on  
30 June 15 of each year.

31 ~~(4)~~

32 (5) Until the budget bill has been enacted, the Legislature shall  
33 not send to the Governor for consideration any bill appropriating  
34 funds for expenditure during the fiscal year for which the budget  
35 bill is to be enacted, except emergency bills recommended by the  
36 Governor or appropriations for the salaries and expenses of the  
37 Legislature.

38 (d) No bill except the budget bill may contain more than one  
39 item of appropriation, and that for one certain, expressed purpose.  
40 Appropriations from the General Fund of the State, except

1 appropriations for the public schools, are void unless passed in  
2 each house by rollcall vote entered in the journal, two-thirds of  
3 the membership concurring.

4 (e) The Legislature may control the submission, approval, and  
5 enforcement of budgets and the filing of claims for all state  
6 agencies.

7 (f) For the 2004–05 fiscal year, or any subsequent fiscal year,  
8 the Legislature may not send to the Governor for consideration,  
9 nor may the Governor sign into law, a budget bill that would  
10 appropriate from the General Fund, for that fiscal year, a total  
11 amount that, when combined with all appropriations from the  
12 General Fund for that fiscal year made as of the date of the budget  
13 bill’s passage, and the amount of any General Fund moneys  
14 transferred to the Budget Stabilization Account for that fiscal year  
15 pursuant to Section 20 of Article XVI, exceeds General Fund  
16 revenues for that fiscal year estimated as of the date of the budget  
17 bill’s passage. That estimate of General Fund revenues shall be  
18 set forth in the budget bill passed by the Legislature.