

AMENDED IN ASSEMBLY APRIL 14, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

Assembly Constitutional Amendment

No. 6

Introduced by Assembly Member Gatto

(Principal coauthor: Senator Pavley)

(Coauthors: Assembly Members Blumenfield, Gordon, Gorell, Hayashi, Huffman, Bonnie Lowenthal, Mendoza, Olsen, Smyth, and Solorio)

(Coauthor: Senator De León)

December 6, 2010

Assembly Constitutional Amendment No. 6—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 8 of Article II thereof, relating to initiatives.

LEGISLATIVE COUNSEL'S DIGEST

ACA 6, as amended, Gatto. Initiative measures: funding source.

The California Constitution provides that the electors may propose statutes or amendments to the state constitution through the initiative process by presenting to the Secretary of State a petition that sets forth the text of the proposed statute or amendment to the Constitution and is certified to have been signed by a certain number of electors.

This measure would prohibit an initiative measure that would result in a net increase in state or local government costs other than costs attributable to the issuance, sale, or repayment of bonds, from being submitted to the electors or having any effect unless and until the Legislative Analyst and the Director of Finance jointly determine that the initiative measure provides for additional revenues in an amount that meets or exceeds the net increase in costs.

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

1 *Resolved by the Assembly, the Senate concurring,* That the
2 Legislature of the State of California at its 2011–12 Regular
3 Session commencing on the sixth day of December 2010,
4 two-thirds of the membership of each house concurring, hereby
5 proposes to the people of the State of California that the
6 Constitution of the State be amended as follows:

7 That Section 8 of Article II thereof is amended to read:

8 SEC. 8. (a) The initiative is the power of the electors to
9 propose statutes and amendments to the Constitution and to adopt
10 or reject them.

11 (b) An initiative measure may be proposed by presenting to the
12 Secretary of State a petition that sets forth the text of the proposed
13 statute or amendment to the Constitution and *that* is certified to
14 have been signed by electors equal in number to 5 percent in the
15 case of a statute, and 8 percent in the case of an amendment to the
16 Constitution, of the votes for all candidates for Governor at the
17 last gubernatorial election.

18 (c) The Secretary of State shall then submit the measure at the
19 next general election held at least 131 days after it qualifies or at
20 any special statewide election held prior to that general election.
21 The Governor may call a special statewide election for the measure.

22 (d) An initiative measure embracing more than one subject may
23 not be submitted to the electors or have any effect.

24 (e) An initiative measure may not include or exclude any
25 political subdivision of the State from the application or effect of
26 its provisions based upon approval or disapproval of the initiative
27 measure, or based upon the casting of a specified percentage of
28 votes in favor of the measure, by the electors of that political
29 subdivision.

30 (f) An initiative measure may not contain alternative or
31 cumulative provisions wherein one or more of those provisions
32 would become law depending upon the casting of a specified
33 percentage of votes for or against the measure.

34 (g) An initiative measure that would result in a net increase in
35 state or local government costs, other than costs attributable to the
36 issuance, sale, or repayment of bonds authorized by the measure,
37 as jointly determined by the Legislative Analyst and Director of

1 Finance, may not be submitted to the electors or have any effect
2 unless and until the Legislative Analyst and the Director of Finance
3 jointly determine that the initiative measure provides for additional
4 revenues in an amount that meets or exceeds the net increase in
5 costs.

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