

Introduced by Senators DeSaulnier and Wolk

December 6, 2010

Senate Constitutional Amendment No. 4—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

SCA 4, as introduced, DeSaulnier. 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 Senate, the Assembly 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

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

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

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

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

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

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

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

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

30 (g) *An initiative measure that would result in a net increase in*
31 *state or local government costs, other than costs attributable to*
32 *the issuance, sale, or repayment of bonds authorized by the*
33 *measure, as jointly determined by the Legislative Analyst and*
34 *Director of Finance, may not be submitted to the electors or have*
35 *any effect unless and until the Legislative Analyst and the Director*
36 *of Finance jointly determine that the initiative measure provides*
37 *for additional revenues in an amount that meets or exceeds the*
38 *net increase in costs.*

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