

Introduced by Senator DeSaulnier

December 1, 2008

Senate Concurrent Resolution No. 3—Relative to a constitutional convention.

LEGISLATIVE COUNSEL’S DIGEST

SCR 3, as introduced, DeSaulnier. Constitutional convention.

Under the California Constitution, the Legislature by rollcall vote entered in the journal, two-thirds of the membership of each house concurring, may submit at a general election the question whether to call a convention to revise the Constitution. If the majority vote yes on that question, within 6 months the Legislature is required to provide for the convention.

This measure would propose that the people of the State of California vote at the next statewide general election on the question of whether to call a convention to revise the California Constitution.

Fiscal committee: yes.

1 WHEREAS, Section 2 of Article XVIII of the California
2 Constitution provides that the Legislature by rollcall vote entered
3 in the journal, two-thirds of the membership of each house
4 concurring, may submit at a general election the question of
5 whether to call a convention to revise the Constitution; and
6 WHEREAS, Section 2 of Article XVIII of the California
7 Constitution further provides that if a majority votes yes on the
8 question of whether to call a convention to revise the Constitution,
9 the Legislature shall provide for a convention within six months;
10 and

1 WHEREAS, Section 2 of Article XVIII of the California
2 Constitution further provides that delegates to a constitutional
3 convention shall be voters elected from districts as nearly equal
4 in population as may be practicable; now, therefore, be it

5 *Resolved by the Senate of the State of California, the Assembly*
6 *thereof concurring*, That the Legislature of the State of California
7 at its 2009–10 Regular Session commencing on the first day of
8 December 2008, two-thirds of the membership of each house
9 concurring, hereby proposes that the people of the State of
10 California vote at the next statewide general election on the
11 question of whether to call a convention to revise the California
12 Constitution, subject to all of the following:

13 (a) Pursuant to Section 2 of Article XVIII of the California
14 Constitution, the question of whether to call a convention to revise
15 the California Constitution shall be submitted to the voters at the
16 next statewide general election, and if the majority vote yes on
17 that question, within six months the Legislature shall provide for
18 the convention.

19 (b) The Secretary of State shall submit the question of whether
20 to call a convention to revise the California Constitution to the
21 voters as the Secretary of State would submit any other proposition
22 by the Legislature that is submitted to a popular vote at a statewide
23 general election; and be it further

24 *Resolved*, That the Legislature of the State of California at its
25 2009–10 Regular Session commencing on the first day of
26 December 2008, two-thirds of the membership of each house
27 concurring, hereby submits at the next statewide general election
28 after passage of this measure a question asking whether voters are
29 for or against the calling of a convention for the purpose of revising
30 the Constitution of the State; and be it further

31 *Resolved*, That the Secretary of the Senate transmit copies of
32 this resolution to the author for appropriate distribution.