

CALIFORNIA LEGISLATURE—2003-04 REGULAR SESSION

Assembly Constitutional Amendment

No. 21

Introduced by Assembly Members Bogh and Spitzer

January 7, 2004

Assembly Constitutional Amendment No. 21—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending subdivision (d) of Section 1 of Article XIX B thereof, relating to transportation.

LEGISLATIVE COUNSEL'S DIGEST

ACA 21, as introduced, Bogh. Motor vehicle fuel sales tax revenue.

Existing provisions of the California Constitution require that sales taxes on motor vehicle fuel that are deposited into the General Fund be transferred to the Transportation Investment Fund and used for transportation purposes, but allow the transfer of these revenues to be suspended in whole or in part for a fiscal year under specified circumstances by a statute enacted by a $2/3$ vote of the membership of each house of the Legislature.

This measure would change the vote requirement to $4/5$ of the membership of each house of the Legislature in order to enact a statute suspending in whole or in part the transfer of this particular revenue from the General Fund to the Transportation Investment Fund.

Vote: $2/3$. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

- 1 *Resolved by the Assembly, the Senate concurring,* That the
- 2 Legislature of the State of California at its 2003-04 Regular
- 3 Session commencing on the second day of December 2002,

1 two-thirds of the membership of each house concurring, hereby
2 proposes to the people of the State of California that the
3 Constitution of the State be amended by amending subdivision (d)
4 of Section 1 of Article XIX B thereof, to read:

5 (d) The transfer of revenues from the General Fund of the State
6 to the Transportation Investment Fund pursuant to subdivision (a)
7 may be suspended, in whole or in part, for a fiscal year if both of
8 the following conditions are met:

9 (1) The Governor has issued a proclamation that declares that
10 the transfer of revenues pursuant to subdivision (a) will result in
11 a significant negative fiscal impact on the range of functions of
12 government funded by the General Fund of the State.

13 (2) The Legislature enacts by statute, pursuant to a bill passed
14 in each house of the Legislature by rollcall vote entered in the
15 journal, ~~two-thirds~~ *four-fifths* of the membership of each house
16 concurring, a suspension for that fiscal year of the transfer of
17 revenues pursuant to subdivision (a), provided that the bill does
18 not contain any other unrelated provision.