

AMENDED IN ASSEMBLY AUGUST 21, 2014

AMENDED IN ASSEMBLY JULY 3, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

Assembly Constitutional Amendment

No. 6

**Introduced by Assembly Member Gatto
(Principal coauthor: Assembly Member Gordon)
(Coauthors: Assembly Members Gorell, Melendez, and Nestande)**

February 11, 2013

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 4 of Article XVIII thereof, relating to constitutional amendments.

LEGISLATIVE COUNSEL'S DIGEST

ACA 6, as amended, Gatto. Constitutional amendments: voter approval.

Existing provisions of the California Constitution provide for the Legislature and electors to propose amendments or revisions to the Constitution. Any proposed constitutional amendment or revision submitted to the voters becomes effective if it is approved by a majority of votes cast.

This measure would increase the vote requirement from a majority to 55% of the votes cast for the electors to amend or revise the Constitution, except that this measure would permit the electors *by a majority vote* to ~~repeal by a majority vote a previously adopted amendment or revision of the Constitution, including certain subsequent amendments to the section or sections of the Constitution added or amended by the previously adopted constitutional amendment or~~

~~revision, as specified~~ *approve an amendment or revision if the sole effect is to reverse one or more changes made to the Constitution by a previous amendment or revision that, prior to the adoption of this measure, was adopted by a majority vote.*

Vote: $\frac{2}{3}$. 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 2013–14 Regular*
3 *Session commencing on the third day of December 2012,*
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 *First—That this measure shall be known and may be cited as*
8 *the “Constitution Protection Act.”*

9 *Second—That Section 4 of Article XVIII thereof is amended*
10 *to read:*

11 *SEC. 4. (a) A proposed amendment or revision of the*
12 *Constitution shall be submitted to the electors and if approved by*
13 *not less than 55 percent of the votes cast thereon, except as*
14 *provided in subdivision (b), takes effect the day after the election*
15 *unless the measure provides otherwise.*

16 ~~(b) (1) Except as provided by paragraph (2), upon approval by~~
17 ~~a majority of the votes cast thereon a~~ *A proposed amendment or*
18 *revision of the Constitution may repeal a previously adopted*
19 ~~amendment or revision of the Constitution, including any~~
20 ~~subsequent amendments made to the section or sections of the~~
21 ~~Constitution added or amended by a previously adopted~~
22 ~~constitutional amendment or revision~~ *shall be approved by a*
23 *majority of the votes cast thereon if its sole effect is to reverse one*
24 *or more of the changes made to the Constitution by a previous*
25 *amendment or revision that, prior to the operative date of the*
26 *measure that added this subdivision, was adopted by a majority*
27 *of the votes cast thereon.*

28 ~~(2) Paragraph (1) shall not apply in the event a measure that~~
29 ~~made subsequent amendments to a section or sections of the~~
30 ~~Constitution added or amended by a previously adopted~~
31 ~~constitutional amendment or revision itself added, amended, or~~
32 ~~repealed one or more sections of the Constitution other than those~~

1 ~~added or amended by the previously adopted amendment or~~
2 ~~revision.~~

3 (c) If the provisions of two or more measures approved at the
4 same election conflict, those of the measure receiving the highest
5 affirmative vote shall prevail.

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