

# House Concurrent Resolution No. 5011

By Representative F. Miller

2-11

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A PROPOSITION to amend article 11 of the constitution of the state of Kansas by adding a new section thereto, prohibiting the increase of the rate of certain fees or taxes.

*Be it resolved by the Legislature of the State of Kansas, two-thirds of the members elected (or appointed) and qualified to the House of Representatives and two-thirds of the members elected (or appointed) and qualified to the Senate concurring therein:*

Section 1. The following proposition to amend the constitution of the state of Kansas shall be submitted to the qualified electors of the state for their approval or rejection: Article 11 of the constitution of the state of Kansas is hereby amended by adding a new section thereto to read as follows:

“§ 14. **Prohibition against tax rate increases.** No enactment of the legislature shall: (1) Increase by more than 3.0% the rate of any fee or tax imposed prior to November 2, 2004; (2) impose a new fee or tax after November 2, 2004; or (3) increase by more than 3.0% the rate of any new fee or tax described by clause (2) imposed after November 2, 2004, without the affirmative vote of two-thirds of the members of the House of Representatives and the Senate.”

Sec. 2. The following statement shall be printed on the ballot with the amendment as a whole:

*“Explanatory statement.* This amendment would establish a prohibition against general fee or tax rate increases.

“A vote for this proposition would establish a prohibition against increases of the rate in excess of 3.0% of any fee or tax which was imposed prior to November 2, 2004, the imposition of a new fee or tax after November 2, 2004, or increases of the rate in excess of 3.0% of any new fee or tax imposed after November 2, 2004, without a two-thirds affirmative vote of the members of the House of Representatives and the Senate.

“A vote against this proposition would maintain the absence of any tax levy rate increase limitation in the constitution.”

Sec. 3. This resolution, if approved by two-thirds of the members

1 elected (or appointed) and qualified to the House of Representatives and  
2 two-thirds of the members elected (or appointed) and qualified to the  
3 Senate, shall be entered on the journals, together with the yeas and nays.  
4 The secretary of state shall cause this resolution to be published as pro-  
5 vided by law and shall cause the proposed amendment to be submitted  
6 to the electors of the state at the general election to be held on November  
7 2, 2004.

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