

House Concurrent Resolution No. 5014

By Representatives Kinzer, Brown, Brunk, Carlson, Hodge, Kelley, Kelley, Kiegerl, Knox, Mast, Masterson, Peck, Siegfried and Watkins

2-2

10 A PROPOSITION to amend section 13 of article 2 of the constitution
11 of the state of Kansas, relating to two-thirds majority required for pas-
12 sage of certain bills.
13

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

18 Section 1. The following proposition to amend the constitution of the
19 state of Kansas shall be submitted to the qualified electors of the state
20 for their approval or rejection: Section 13 of article 2 of the constitution
21 of the state of Kansas is hereby amended to read as follows:

22 “§ 13. **Majority for passage of bills.** A majority of the members
23 then elected (or appointed) and qualified of each house, voting in
24 the affirmative, shall be necessary to pass any bill, *except that two-*
25 *thirds ($\frac{2}{3}$) of the members then elected (or appointed) and qualified*
26 *in each house, voting in the affirmative, shall be necessary to pass*
27 *any bill enacting or amending any law creating any new state tax*
28 *or increasing the rate of any existing state income tax, sales tax,*
29 *compensating use tax or other excise tax or a tax in the nature of an*
30 *excise tax, property tax, or tax in the nature of a property tax, or*
31 *estate or inheritance tax, or a tax in the nature of an estate or in-*
32 *heritance tax, or any combination thereof. Two-thirds ($\frac{2}{3}$) of the*
33 *members then elected (or appointed) and qualified in each house,*
34 *voting in the affirmative, shall be necessary to ratify any amendment*
35 *to the Constitution of the United States or to make any application*
36 *for congress to call a convention for proposing amendments to the*
37 *Constitution of the United States.”*

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

40 “*Explanatory statement.* The purpose of this amendment is to re-
41 quire a supermajority to pass certain bills related to the creation
42 of a new tax or the increase in the rate of any existing tax.

43 “A vote for this amendment would require two-thirds of the mem-

1 bers of the house of representatives and two-thirds of the mem-
2 bers of the senate to vote yes to pass any new state tax or
3 increase the rate of any existing state income tax, sales tax,
4 compensating use tax or other excise tax or a tax in the nature
5 of an excise tax, property tax, or tax in the nature of a property
6 tax, or estate or inheritance tax, or tax in the nature of an estate
7 or inheritance tax, or any combination of such taxes.
8 “A vote against this amendment would provide no change to the
9 constitution and maintain the current requirement that a sim-
10 ple majority of members of the house of representatives and
11 members of the senate is all that is required to pass any bill.”
12 Sec. 3. This resolution, if approved by two-thirds of the members
13 elected (or appointed) and qualified to the House of Representatives, and
14 two-thirds of the members elected (or appointed) and qualified to the
15 Senate shall be entered on the journals, together with the yeas and nays.
16 The secretary of state shall cause this resolution to be published as pro-
17 vided by law and shall cause the proposed amendment to be submitted
18 to the electors of the state at the general election on the first Tuesday
19 after the first Monday in November, 2008, unless a special election is
20 called at an earlier date by concurrent resolution of the legislature, in
21 which case the proposed amendment shall be submitted to the electors
22 of the state at the special election.