

March 26, 2007

Hon. Edmund G. Brown Jr.
Attorney General
1300 I Street, 17th Floor
Sacramento, California 95814

Attention: Ms. Patricia Galvan
Initiative Coordinator

Dear Attorney General Brown:

Pursuant to Elections Code Section 9005, we have reviewed the proposed constitutional measure related to legislative term limits (A.G. File No. 07-0004, Amdt. #1-S).

Major Provisions

Background. Under the State Constitution, elected Members of the Assembly and the Senate are limited in the number of terms they can serve in the Legislature. An individual can serve no more than three two-year terms in the Assembly and no more than two four-year terms in the Senate. An individual, therefore, generally cannot serve a total of more than 14 years in the Legislature. (An exception is when an individual serves additional time by finishing out less than one-half of another person's term.)

Time Limit Without Regard to House. Under the proposed measure, an individual could only serve a total of 12 years in the Legislature. Unlike current law, however, these years could be served without regard to whether the years were served in the Assembly or Senate. In other words, an individual could serve six two-year terms in the Assembly, three four-year terms in the Senate, or some combination of terms in both houses. (As under current law, an individual could serve additional time by finishing out less than one-half of another person's term.)

Current Members of the Legislature. Under the measure, Assembly Members or Senators in office at the time of passage of the initiative could serve up to a total of 12 years in their current legislative house (regardless of how many years were already served in the other house).

Fiscal Effect

By changing the allowable length of service for Members of the Legislature, the measure would likely change which individuals are serving in the Legislature at any

time compared to current law. This change would not have any direct fiscal effect on total state spending or revenues. The different composition of the Legislature, however, would likely lead to different decisions being made—for example on legislation and the state budget. These decisions could have an effect on state spending and revenues. Any such indirect changes, however, are unknown and impossible to estimate.

Summary. This measure would have no direct fiscal effect on state or local governments.

Sincerely,

Elizabeth G. Hill
Legislative Analyst

Michael C. Genest
Director of Finance