

April 15, 2011

Hon. Kamala D. Harris
Attorney General
1300 I Street, 17th Floor
Sacramento, California 95814

Attention: Ms. Krystal Paris
Initiative Coordinator

Dear Attorney General Harris:

Pursuant to Elections Code Section 9005, we have reviewed the proposed initiative regarding modifying the United States Constitution (A.G. File No. 11-0003).

Background

Under the United States Constitution, the United States Congress must call a convention to consider constitutional amendments if two-thirds of states' legislatures request it. To become part of the United States Constitution, the proposed amendments must then be ratified by (1) legislatures of three-quarters of the states or (2) ratifying conventions held in three-quarters of the states.

Proposal

The measure directs the California Legislature to request the United States Congress to assemble a convention for the purpose of proposing amendments to the United States Constitution.

Fiscal Effect

This measure would have no direct fiscal impact, as any effect would depend on future actions by other states, members of the constitutional convention, and federal and state elected officials.

Approval of the measure, however, would make it more likely that there would be such a convention in the future. In such cases, the resulting recommendations of the convention, if approved by the states, could change the structure of federal and state governments. This, in turn, could result in higher or lower federal and state taxes and other revenues. It could also result in more or less federal and state spending on particular public programs. These impacts are impossible to estimate.

Fiscal Summary. This measure would have the following fiscal effect:

- No direct fiscal impact, as any effect would depend on decisions of other states, members of the constitutional convention, and future federal and state elected officials.

Sincerely,

Mac Taylor
Legislative Analyst

Ana J. Matosantos
Director of Finance