

**FILED**  
in the office of the Secretary of State  
of the State of California

SEP 25 2017  
By Nikh Pancharia  
Deputy Secretary of State

**Assembly Constitutional Amendment No. 17**

Adopted in Assembly August 24, 2017

[Signature]  
Chief Clerk of the Assembly

Adopted in Senate September 14, 2017

[Signature]  
Secretary of the Senate

Attest:

[Signature]  
Secretary of State

This resolution was received by the Secretary of State this  
25th day of September, 2017, at 3  
o'clock P.M.

Nikh Pancharia  
Deputy Secretary of State

## RESOLUTION CHAPTER \_\_\_\_\_

Assembly Constitutional Amendment No. 17—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 10 of Article II thereof, and by amending Section 4 of Article XVIII thereof, relating to ballot measures.

## LEGISLATIVE COUNSEL'S DIGEST

ACA 17, Mullin. Ballot measures: effective date.

The California Constitution provides that an initiative statute, referendum, or constitutional amendment or revision approved by a majority of votes thereon takes effect the day after the election unless the measure provides otherwise. Existing law requires the Secretary of State to compile the results of all statewide measures, and to prepare, certify, and file a statement of the vote from the compiled results no later than the 38th day after the election.

This measure would instead provide that an initiative statute, a referendum, or a constitutional amendment or revision approved by a majority of votes thereon takes effect 5 days after the Secretary of State files the statement of the vote for the election at which the measure is voted on, and the measure clarifies that an initiative statute, referendum, or constitutional amendment or revision may provide that it becomes operative after its effective date. The measure would also make nonsubstantive changes to these provisions.

*Resolved by the Assembly, the Senate concurring,* That the Legislature of the State of California at its 2017-2018 Regular Session commencing on the fifth day of December 2016, two-thirds of the membership of each house concurring, hereby proposes to the people of the State of California, that the Constitution of the State be amended as follows:

First—That Section 10 of Article II thereof is amended to read:

SEC. 10. (a) An initiative statute or referendum approved by a majority of votes cast thereon takes effect on the fifth day after the Secretary of State files the statement of the vote for the election at which the measure is voted on, but the measure may provide

that it becomes operative after its effective date. If a referendum petition is filed against a part of a statute, the remainder of the statute shall not be delayed from going into effect.

(b) If provisions of two or more measures approved at the same election conflict, the provisions of the measure receiving the highest number of affirmative votes shall prevail.

(c) The Legislature may amend or repeal a referendum statute. The Legislature may amend or repeal an initiative statute by another statute that becomes effective only when approved by the electors unless the initiative statute permits amendment or repeal without the electors' approval.

(d) Before circulation of an initiative or referendum petition for signatures, a copy shall be submitted to the Attorney General who shall prepare a title and summary of the measure as provided by law.

(e) The Legislature shall provide for the manner in which a petition shall be circulated, presented, and certified, and the manner in which a measure shall be submitted to the electors.

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

SEC. 4. A proposed amendment or revision shall be submitted to the electors and, if approved by a majority of votes cast thereon, takes effect on the fifth day after the Secretary of State files the statement of the vote for the election at which the measure is voted on, but the measure may provide that it becomes operative after its effective date. If provisions of two or more measures approved at the same election conflict, the provisions of the measure receiving the highest number of affirmative votes shall prevail.