



751148

LEGISLATIVE ACTION

Senate

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House

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03/02/2018 04:51 PM

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Senator Farmer moved the following:

Senate Amendment (with ballot and title amendments)

Delete lines 22 - 53

and insert:

SECTION 19. Supermajority vote required to impose,
authorize, raise, lower, or eliminate state taxes or fees.-

(a) SUPERMAJORITY VOTE REQUIRED TO IMPOSE OR AUTHORIZE NEW
STATE TAX OR FEE. No new state tax or fee may be imposed or
authorized by the legislature except through legislation
approved by two-thirds of the membership of each house of the
legislature and presented to the Governor for approval pursuant



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12 to Article III, Section 8.

13 (b) SUPERMAJORITY VOTE REQUIRED TO RAISE STATE TAXES OR
14 FEES. No state tax or fee may be raised by the legislature
15 except through legislation approved by two-thirds of the
16 membership of each house of the legislature and presented to the
17 Governor for approval pursuant to Article III, Section 8.

18 (c) SUPERMAJORITY VOTE REQUIRED TO LOWER OR ELIMINATE STATE
19 TAXES OR FEES. No state tax or fee may be lowered or eliminated
20 by the legislature except through legislation approved by two-
21 thirds of the membership of each house of the legislature and
22 presented to the Governor for approval pursuant to Article III,
23 Section 8.

24 (d) APPLICABILITY. This section does not authorize the
25 imposition of any state tax or fee otherwise prohibited by this
26 Constitution, and does not apply to any tax or fee imposed by,
27 or authorized to be imposed by, a county, municipality, school
28 board, or special district.

29 (e) DEFINITIONS. As used in this section, the following
30 terms shall have the following meanings:

31 (1) "Fee" means any charge or payment required by law,
32 including any fee for service, fee or cost for licenses, and
33 charge for service.

34 (2) "Lower" means:

35 a. To decrease or authorize a decrease in the rate of a
36 state tax or fee imposed on a percentage or per mill basis;

37 b. To decrease or authorize a decrease in the amount of a
38 state tax or fee imposed on a flat or fixed amount basis; or

39 c. To increase or authorize a new state tax or fee
40 exemption or credit.



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41 (3) "Raise" means:
42 a. To increase or authorize an increase in the rate of a
43 state tax or fee imposed on a percentage or per mill basis;
44 b. To increase or authorize an increase in the amount of a
45 state tax or fee imposed on a flat or fixed amount basis; or
46 c. To decrease or eliminate a state tax or fee exemption or
47 credit.
48 (f) SINGLE-SUBJECT. A state tax or fee imposed, authorized,
49 raised, lowered, or eliminated under this section must be
50 contained in a

51
52 ===== B A L L O T S T A T E M E N T A M E N D M E N T =====
53 And the ballot statement is amended as follows:

54 Delete lines 60 - 111
55 and insert:

56 SUPERMAJORITY VOTE REQUIRED TO IMPOSE, AUTHORIZE, RAISE,
57 LOWER, OR ELIMINATE STATE TAXES OR FEES.—Prohibits the
58 legislature from imposing, authorizing, raising, lowering, or
59 eliminating a state tax or fee except through legislation
60 approved by a two-thirds vote of each house of the legislature
61 in a bill containing no other subject. This proposal does not
62 authorize a state tax or fee otherwise prohibited by the
63 Constitution and does not apply to fees or taxes imposed or
64 authorized to be imposed by a county, municipality, school
65 board, or special district.

66
67 BE IT FURTHER RESOLVED that the following statement be
68 placed on the ballot if a court declares the preceding statement
69 defective and the decision of the court is not reversed:



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70 CONSTITUTIONAL AMENDMENT
71 ARTICLE VII, SECTION 19
72 SUPERMAJORITY VOTE REQUIRED TO IMPOSE, AUTHORIZE, RAISE,
73 LOWER, OR ELIMINATE STATE TAXES OR FEES.—Proposing the following
74 amendment to the State Constitution:

75 ARTICLE VII
76 FINANCE AND TAXATION

77 SECTION 19. Supermajority vote required to impose,
78 authorize, raise, lower, or eliminate state taxes or fees.—

79 (a) SUPERMAJORITY VOTE REQUIRED TO IMPOSE OR AUTHORIZE NEW
80 STATE TAX OR FEE. No new state tax or fee may be imposed or
81 authorized by the legislature except through legislation
82 approved by two-thirds of the membership of each house of the
83 legislature and presented to the Governor for approval pursuant
84 to Article III, Section 8.

85 (b) SUPERMAJORITY VOTE REQUIRED TO RAISE STATE TAXES OR
86 FEES. No state tax or fee may be raised by the legislature
87 except through legislation approved by two-thirds of the
88 membership of each house of the legislature and presented to the
89 Governor for approval pursuant to Article III, Section 8.

90 (c) SUPERMAJORITY VOTE REQUIRED TO LOWER OR ELIMINATE STATE
91 TAXES OR FEES. No state tax or fee may be lowered or eliminated
92 by the legislature except through legislation approved by two-
93 thirds of the membership of each house of the legislature and
94 presented to the Governor for approval pursuant to Article III,
95 Section 8.

96 (d) APPLICABILITY. This section does not authorize the
97 imposition of any state tax or fee otherwise prohibited by this
98 Constitution, and does not apply to any tax or fee imposed by,



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99 or authorized to be imposed by, a county, municipality, school
100 board, or special district.

101 (e) DEFINITIONS. As used in this section, the following
102 terms shall have the following meanings:

103 (1) "Fee" means any charge or payment required by law,
104 including any fee for service, fee or cost for licenses, and
105 charge for service.

106 (2) "Lower" means:

107 a. To decrease or authorize a decrease in the rate of a
108 state tax or fee imposed on a percentage or per mill basis;

109 b. To decrease or authorize a decrease in the amount of a
110 state tax or fee imposed on a flat or fixed amount basis; or

111 c. To increase or authorize a new state tax or fee
112 exemption or credit.

113 (3) "Raise" means:

114 a. To increase or authorize an increase in the rate of a
115 state tax or fee imposed on a percentage or per mill basis;

116 b. To increase or authorize an increase in the amount of a
117 state tax or fee imposed on a flat or fixed amount basis; or

118 c. To decrease or eliminate a state tax or fee exemption or
119 credit.

120 (f) SINGLE-SUBJECT. A state tax or fee imposed, authorized,
121 raised, lowered, or eliminated under this section must be
122 contained in a

123
124 ===== T I T L E A M E N D M E N T =====

125 And the title is amended as follows:

126 Delete lines 5 - 10

127 and insert:



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128 raised, lowered, or eliminated by the legislature
129 except through legislation approved by two-thirds of
130 the membership of each house of the legislature and
131 presented to the Governor for approval; providing for
132 applicability; providing definitions; requiring any
133 tax or fee imposed, authorized, raised, lowered, or
134 eliminated under this section to be contained