

## House Concurrent Resolution No. 5014

By Committee on Federal and State Affairs

2-12

1 A PROPOSITION to amend section 24 of article 2 of the constitution of  
2 the state of Kansas, relating to appropriations.

3  
4 *Be it resolved by the Legislature of the State of Kansas, two-thirds of the*  
5 *members elected (or appointed) and qualified to the House of*  
6 *Representatives and two-thirds of the members elected (or appointed)*  
7 *and qualified to the Senate concurring therein:*

8 Section 1. The following proposition to amend the constitution of  
9 the state of Kansas shall be submitted to the qualified electors of the state  
10 for their approval or rejection: Section 24 of article 2 of the constitution  
11 of the state of Kansas is hereby amended to read as follows:

12 "**§ 24. Appropriations.** No money shall be drawn from the  
13 treasury except in pursuance of a specific appropriation made by  
14 law. *The executive and judicial branches shall have no authority to*  
15 *direct the legislative branch to make any appropriation of money*  
16 *or to redirect the expenditure of funds appropriated by law, except*  
17 *as the legislative branch may provide by law, or as may be*  
18 *required by the Constitution of the United States. Any existing*  
19 *order directing the legislative branch to make an appropriation of*  
20 *money shall be unenforceable as of the date this provision is*  
21 *adopted."*

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

24 "*Explanatory statement.* The purpose of this amendment is to  
25 clarify that the executive and judicial branches shall not  
26 direct the legislative branch to make any appropriation of  
27 money, nor to redirect the expenditures of funds  
28 appropriated by law, except as the legislative branch may  
29 provide by law, or as may be required by the Constitution of  
30 the United States. Any existing court order which is  
31 inconsistent with this amendment is unenforceable.

32 "A vote for this proposition would clarify that section 24 of  
33 article 2 of the constitution of the state of Kansas provides  
34 that neither the executive branch nor the judicial branch can  
35 force the legislative branch to appropriate money, except as  
36 the legislative branch may provide by law, or as may be

1 required by the Constitution of the United States. The  
2 amendment would also prohibit the judicial branch from  
3 ordering a change in how money is spent after it has been  
4 appropriated by the legislative branch, except as the  
5 legislative branch may provide by law, or as may be required  
6 by the Constitution of the United States. If money is  
7 appropriated for a particular purpose the judicial branch  
8 could not stop that money from being spent for that purpose.  
9 Finally, the amendment would void any current court order  
10 directing the legislative branch to make an appropriation of  
11 money.

12 "A vote against this proposition would provide no change to the  
13 constitution of the state of Kansas, and any existing orders  
14 that direct the legislative branch to make an appropriation of  
15 money shall remain in effect."

16 Sec. 3. This resolution, if approved by two-thirds of the members  
17 elected (or appointed) and qualified to the House of Representatives, and  
18 two-thirds of the members elected (or appointed) and qualified to the  
19 Senate shall be entered on the journals, together with the yeas and nays.  
20 The secretary of state shall cause this resolution to be published as  
21 provided by law and shall cause the proposed amendment to be submitted  
22 to the electors of the state at a special election to be held on the first  
23 Tuesday following 60 calendar days after the approval of this resolution  
24 by both the House of Representatives and the Senate of the Kansas  
25 legislature.