

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.

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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.