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**Hess, Joyce**

**From:** Zuend, Ted  
**Sent:** Friday, March 14, 2003 8:42 AM  
**To:** Anderson, Bernie Assemblyman; Arberry, Morse Assemblyman; Gibbons, Dawn Assemblywoman; Goldwater, David Assemblyman; Grady, Tom Assemblyman; Griffin, Josh Assemblyman; Hettrick, Lynn Assemblyman; Marvel, John Assemblyman; McClain, Kathy Assemblywoman; Mortenson, Harry Assemblyman; Parks, David Assemblyman; Pierce, Peggy Assemblywoman  
**Cc:** Hess, Joyce  
**Subject:** Two-thirds vote rule

Chairman and Members of Assembly Taxation Committee,

In response to an information request by Vice-Chairman Goldwater, Legislative Counsel has confirmed that if a bill merely authorizes a local government to impose or increase a tax or fee, no two-thirds vote is required for house passage. Also, there is no two-thirds requirement on the governing body of the local government when it imposes or increases a tax or fee unless the Legislature requires it in the enabling legislation. If, however, enabling legislation authorizes a revenue increase for a state agency, the two-thirds rule will apply in almost all cases according to Legislative Counsel. The exception would occur in those rare cases where there is reason to believe that a tax or fee increase would not be automatic.

I trust that this is helpful.

Ted

3/14/2003

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ASSEMBLY COMMITTEE ON TAXATION

DATE: 3/13/03 ROOM: 3142 EXHIBIT E

SUBMITTED BY: TED ZUEND