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Proposition 28: Limits on Legislators' Terms in Office

LEGISLATIVE ANALYST'S OFFICE

Presented to:
Senate Elections and Constitutional Amendments
Committee
Hon. Lou Correa, Chair
Assembly Elections and Redistricting Committee
Hon. Paul Fong, Chair





Existing Legislative Term Limits

- Created by Proposition 140.*** At the November 1990 election, the state's voters established term limits for Members of the California Legislature.

- Restricts Number of Terms That Can Be Served in Legislature.*** An individual may serve:
 - Three two-year terms in the Assembly.
 - Two four-year terms in the Senate.
 - In total, no more than 14 years in the Legislature.

- Limited Exception to Term Limits.*** An individual may serve additional time by finishing out less than one-half of the term of another person who left the Legislature (for example, due to resignation).



Proposed Legislative Term Limits

	Current Law ^a	If Proposition 28 Passes ^b
Maximum total number of years in the California Legislature	14 years	12 years
Maximum number of years in the State Senate	8 years (two terms of 4 years each)	12 years (three terms of 4 years each)
Maximum number of years in the State Assembly	6 years (three terms of 2 years each)	12 years (six terms of 2 years each)

^a Under current law, an exception is when an individual serves additional time by finishing out less than one-half of the term of another person who left the Assembly or the Senate due to death, resignation, or recall.

^b Proposition 28's revised term limits would apply only to Members of the Legislature first elected after June 7, 2011.

- Affects Future Legislators.** The measure would only affect Senators and Assembly Members first elected to the Legislature after June 5, 2012. Current and past Members of the Legislature would continue to be subject to current legislative term limits.

- Allows Fewer Total Years in the Legislature, but More Years in One House.** As the table illustrates, this measure would allow future legislators to serve more years in a given house, but fewer total years in the Legislature.