



*The following pages are actual copies  
of our Proposition 13 passed in 1978  
plus*

*All of the Amendments which we, the legal voters, have approved,  
And*

*Proposition 4, passed in 1979*

*Requiring California State Government must pay the bills for  
any of their "mandated" projects and/or requirements assigned to any California  
county, city or any other entities,*

*The Indian Wells Valley Groundwater Authority  
CANNOT*

*ADD ANY OF THEIR SO-CALLED FEES  
TO OUR PROPERTY TAXES*



**Contact:**  
**Ms. Lorry Wagner**  
**Standing up for the**  
**Property-Owners Water Rights**  
**Against LADWP Aqueducts**

**Private Property Water Well Rights  
of Indian Wells Valley**

**8222 Athel Street  
Inyokern, California 93527  
U.S.A.**

**760-377-5579  
lorrysda@gmail.com  
or  
lorry@iwvisp.com**

**[http://www.sdarabians.com/  
CAWaterGovernmentInterference.html](http://www.sdarabians.com/CAWaterGovernmentInterference.html)**

*This pamphlet has been created by Lorry Wagner  
For the purpose of bringing forth the actual, word-by-word contents of  
Propositions 13 and 4 which we, the voters passed in 1978 and 1979,*

# The Original California Proposition 13

Text of Proposition 13 as originally presented to the voters (June 1978)

[Read Proposition 13 as it is enshrined in the California state constitution.](#)

PROPOSITION 13, THE AMENDMENT. That Article XIII A is added to the Constitution to read:

## Section 1.

(a) The maximum amount of any ad valorem tax on real property shall not exceed one percent (1%) of the full cash value of such property. The one percent (1%) tax to be collected by the counties and apportioned according to law to the districts within the counties.

(b) The limitation provided for in subdivision (a) shall not apply to ad valorem taxes or special assessments to pay the interest and redemption charges on any indebtedness approved by the voters prior to the time this section becomes effective.

## Section 2.

(a) The full cash value means the County Assessors valuation of real property as shown on the 1975-76 tax bill under "full cash value," or thereafter, the appraised value of real property when purchased, newly constructed, or a change in ownership has occurred after the 1975 assessment. All real property not already assessed up to the 1975-76 tax levels may be reassessed to reflect that valuation.

(b) The fair market value base may reflect from year to year the inflationary rate not to exceed two percent (2%) for any given year or reduction as shown in the consumer price index or comparable data for the area under taxing jurisdiction.

## Section 3.

From and after the effective date of this article, any changes in State taxes enacted for the purpose of increasing revenues collected pursuant thereto whether by increased rates or changes in methods of computation must be imposed by an Act passed by not less than two-thirds of all members elected to each of the two houses of the Legislature, except that no new ad valorem taxes on real property, or sales or transaction taxes on the sales of real property may be imposed.

## Section 4.

Cities, Counties and special districts, by a two-thirds vote of the qualified electors of such district, may impose special taxes on such district, except ad valorem taxes on real property or a transaction tax or sales tax on the sale of real property within such City, County or special district.

## Section 5.

This article shall take effect for the tax year beginning on July 1 following the passage of this Amendment, except Section 3 which shall become effective upon the passage of this article.

## Section 6.

**If any section, part, clause, or phrase hereof is for any reason held to be invalid or unconstitutional, the remaining sections shall not be affected but will remain in full force and effect.**

## Amendments to Proposition 13

### 1978 Proposition 8

(or **Senate Constitutional Amendment No. 67**) was an amendment of the [Constitution of California](#) relating to the assessment of property values. It was proposed by the [California State Legislature](#) and approved by voters in a [referendum](#) held on 7 November 1978. The amendment was necessitated by the passage of [Proposition 13](#) in June of the same year. Proposition 8 allowed for a reassessment of real property values in a declining market. For this purpose it amended Article 13A of the state constitution, which had been added by Proposition 13. Today a reassessment based on a decline in market value is called a "Proposition 8"

### 1986 Proposition 58

Proposition 58 allows homeowners to transfer their principle residence to children without a property tax re-assessment, as well as the first \$1 million (not indexed to inflation) in assessed value of other real property. It passed with 76% of the vote.<sup>[69]</sup>

### 1986 Proposition 60

Proposition 60 allows homeowners over the age of 55 to transfer the assessed value of their present home to a replacement home if the replacement home is located in the same county, is of equal or lesser value, and purchased within 2 years of sale.

### 1988 Proposition 90

Proposition 90 is similar to [1986 Proposition 60](#) in that it allows homeowners over the age of 55 to transfer the assessed value of their present home to a replacement home if the replacement home is located in a different county, provided the incoming county allows the transfer.

### 1996 Proposition 193

Proposition 193 extended [1986 Proposition 58](#) by allowing grandparents to transfer to their grandchildren their primary residence and up to \$1 million (not indexed to inflation) in other real property without a property tax re-assessment, when both parents of the grandchild are deceased. It passed with 67% of the vote.<sup>[71]</sup>

### 1996 Proposition 218

Proposition 218, called the "Right to Vote on Taxes Act," is an initiative [constitutional amendment](#) approved by [California](#) voters on November 5, 1996.<sup>[72]</sup> Proposition 218 was sponsored by the [Howard Jarvis Taxpayers Association](#) as a constitutional follow-up to Proposition 13.

**The proposition established constitutional limits on the ability of local governments to levy benefit assessments on real property and property-related fees and charges such as those for utility services to property.<sup>[73]</sup> The assessment and property-related fee and charge reforms contained in Proposition 218 were in response to California local governments' use of revenue sources that circumvented the two-thirds vote requirement to raise local taxes under Proposition 13.<sup>[74]</sup>**

**It also requires voter approval before a local government, including a [charter city](#), may impose, increase, or extend any local tax.<sup>[75]</sup> It also constitutionally reserves to local voters the**

**right to use the initiative power to reduce or repeal any local tax, assessment, fee or charge, including provision for a significantly reduced petition signature requirement to qualify a measure on the ballot.**<sup>[76]</sup>

### **2000 Proposition 39**

Proposition 39 lowered the required supermajority necessary for voters to impose local school bond acts from two-thirds (2/3) of the votes cast to 55%.

### **2010 Proposition 26**

Proposition 26 added a constitutional definition of "tax" for purposes of the two-thirds legislative vote requirement for state taxes under Proposition 13.<sup>[77]</sup>

## **The Original California Proposition 4**

Proposition 4 was sponsored by [Paul Gann](#) and is sometimes referred to as the 'Spirit of 13' Initiative in reference to [Proposition 13](#), which was approved the previous year of 1978. In 1979 Proposition 4 amended the [California Constitution](#) to:

### **Require the state to reimburse local governments for the cost of complying with state mandates.**

*“2018 California Constitution, Article XIII B, Government Spending Limitation, Section 6*

**SEC. 6. (a) Whenever the Legislature or any state agency mandates a new program or higher level of service on any local government, the State shall provide for a subvention of funds to reimburse that local government for the costs of the program or increased level of service, except that the Legislature may, but need not, provide a subvention of funds for the following mandates:**

- (1) Legislative mandates requested by the local agency affected.**
- (2) Legislation defining a new crime or changing an existing definition of a crime.**
- (3) Legislative mandates enacted prior to January 1, 1975, or executive orders or regulations initially implementing legislation enacted prior to January 1, 1975.**
- (4) Legislative mandates contained in statutes within the scope of paragraph (7)) of subdivision (b) of Section 3, Article 1.**
- (5) Except as provided in paragraph (2), for the 2005-06 fiscal year and every subsequent fiscal year, for a mandate for which the costs of a local government claimant have been determined in a preceding fiscal year to be payable by the State pursuant to law, the Legislature shall either appropriate, in the annual Budget Act, the full payable amount that has not been previously paid, or suspend the operation of the mandate for the fiscal year for which the annual Budget Act is applicable in a manner prescribed.**

There are some other “exceptions” to requiring CA government to pay for mandated requirements, but we, the people did NOT include them in OUR original Proposition 4 which we passed; therefore they are not legally an addition since we, the legal voting public must pass by a majority 2/3rds vote any additions or changes to our originally-passed Proposition 4.