

By: Burnam

H.J.R. No. 94

HOUSE JOINT RESOLUTION

1           WHEREAS, it was the stated intention of the framers of the  
2 Constitution of the United States of America that the Congress of  
3 the United States of America should be "dependent on the people  
4 alone." (James Madison, Federalist 52); and,

5           WHEREAS, that dependency has evolved from a dependency on the  
6 people alone to a dependency on those who spend excessively in  
7 elections, through campaigns or third-party groups; and,

8           WHEREAS, the United States Supreme Court ruling in Citizens  
9 United v. Federal Election Commission, 558 U.S. 310 (2010) removed  
10 restrictions on amounts of independent political spending; and,

11           WHEREAS, the removal of those restrictions has resulted in  
12 the unjust influence of powerful economic forces, which have  
13 supplanted the will of the people by undermining our ability to  
14 choose our political leadership, write our own laws, and determine  
15 the fate of our state; and

16           WHEREAS Article V of the United States Constitution requires  
17 the United States Congress to call a convention for proposing  
18 amendments upon application of two-thirds of the legislatures of  
19 the several states for the purpose of proposing amendments to the  
20 United States Constitution; and

21           WHEREAS the State of Texas sees the need for a convention to  
22 propose amendments in order to address concerns such as those  
23 raised by the decision of the United States Supreme Court in  
24 Citizens United v. Federal Election Commission (2010) 130 S.Ct. 876

1 and related cases and events including those occurring long before  
2 or afterward or for a substantially similar purpose, and desires  
3 that said convention should be so limited; and

4 WHEREAS the State of Texas desires that the delegates to said  
5 convention shall be comprised equally from individuals currently  
6 elected to state and local office, or be selected by election in  
7 each Congressional district for the purpose of serving as  
8 delegates, though all individuals elected or appointed to federal  
9 office, now or in the past, be prohibited from serving as delegates  
10 to the Convention, and intends to retain the ability to restrict or  
11 expand the power of its delegates within the limits expressed  
12 above; and

13 WHEREAS the State of Texas intends that this be a continuing  
14 application considered together with applications calling for a  
15 convention currently pending in the before the 188th Massachusetts  
16 legislature as HD.2684 and the 88th Minnesota legislature as S.F.  
17 No. 17, and all other passed, pending, and future applications, the  
18 aforementioned concerns of Texas notwithstanding until such time as  
19 two-thirds of the Several States have applied for a Convention and  
20 said Convention is convened by Congress;

21 Therefore, be it resolved, that the legislature of the State  
22 of Texas, speaking through its legislature, and pursuant to Article  
23 V of the United States Constitution, hereby petitions the United  
24 States Congress to call a Convention for the purpose of proposing  
25 Amendments to the Constitution of the United States of America as  
26 soon as two-thirds of the several States have applied for a  
27 Convention; and

1           Be it further resolved, that the Texas Secretary of State  
2 transmit copies of this resolution to the President and Vice  
3 President of the United States, the Speaker of the United States  
4 House of Representatives, the Minority Leader of the United States  
5 House of Representatives, the President Pro Tempore of the United  
6 States Senate, to each Senator and Representative from Texas in the  
7 Congress of the United States, to the Governor of each State, and to  
8 the presiding officers of each legislative body of each of the  
9 several States, requesting the cooperation of the several States in  
10 issuing an application compelling Congress to call a convention for  
11 proposing amendments pursuant to Article V of the United States  
12 Constitution.