

By: Elkins

H.J.R. No. 101

A JOINT RESOLUTION

1 rescinding the application of the 26th Texas Legislature made in
2 the year 1899 to the United States Congress to call an unrestricted
3 national convention, pursuant to Article V of the United States
4 Constitution, for proposing undisclosed amendments to that
5 Constitution.

6 WHEREAS, In adopting Senate Concurrent Resolution No. 4, the
7 26th Texas Legislature, in the year 1899, applied to the United
8 States Congress to call a convention, under the terms of Article V
9 of the United States Constitution, "...for proposing amendments to
10 said Constitution..." that would be subject to potential
11 ratification; and

12 WHEREAS, That particular application--unlike subsequent and
13 more detailed applications from Texas lawmakers--did not prescribe
14 any boundaries on the subject matter of amendments to be discussed
15 or ultimately offered for ratification by such a nationwide
16 convention; and

17 WHEREAS, While indeed no Article V convention has yet taken
18 place thus far in American history, nevertheless, there is a very
19 real possibility that one, or more than one, could be triggered at
20 some point in the future--the precise results of which cannot be
21 predicted or known in advance; and

22 WHEREAS, At the present time, the Texas Legislature has
23 absolutely no desire or intention whatsoever for Congress to call
24 an Article V convention of a general, vague, and unlimited nature;

1 and

2 WHEREAS, Senate Concurrent Resolution No. 4 remains just as
3 alive and valid today as it was when it was approved by Texas
4 legislators 114 years ago; now, therefore, be it

5 RESOLVED, That the 83rd Legislature of the State of Texas,
6 Regular Session, 2013, hereby officially rescinds, repeals,
7 revokes, and nullifies Senate Concurrent Resolution No. 4, Acts of
8 the 26th Legislature, Regular Session, 1899, calling for an
9 open-ended, unclear, and indeterminate Article V convention to
10 propose for ratification unspecified federal constitutional
11 amendments, which application was duly received by Congress, and
12 reprinted word for word in the *Congressional Record* of December 11,
13 1899, at page 219, and which application was referred to the
14 Committee on the Judiciary in the United States House of
15 Representatives the very next day (*Congressional Record* at page
16 280); and be it further

17 RESOLVED, That, in a manner which would furnish confirmation
18 of delivery and tracking while en route, the Texas Secretary of
19 State shall transmit properly-certified copies of this joint
20 resolution--together with copies of Senate Concurrent Resolution
21 No. 4--pursuant to the Standing Rules of the United States Senate
22 (namely, Rule VII, paragraphs 4, 5, and 6) to the Vice-President of
23 the United States (in his capacity as presiding officer of the
24 United States Senate and addressed to him at the office which he
25 maintains inside the United States Capitol Building); to the
26 Secretary and Parliamentarian of the United States Senate; and to
27 both United States Senators representing Texas; accompanied by a

1 cover letter to each addressee drawing attention to the fact that it
2 is the 83rd Texas Legislature's courteous, yet firm, request that
3 the full and complete verbatim text of this joint resolution--as
4 well as the full and complete verbatim text of Senate Concurrent
5 Resolution No. 4--be duly published in the United States Senate's
6 portion of the *Congressional Record*, as an official memorial to the
7 United States Senate, and that this joint resolution--with Senate
8 Concurrent Resolution No. 4 appended thereto--be referred to
9 whichever committee(s) of the United States Senate that would have
10 appropriate jurisdiction in this matter, and be it further

11 RESOLVED, That, in a manner which would furnish confirmation
12 of delivery and tracking while en route, the Texas Secretary of
13 State shall likewise transmit properly-certified copies of this
14 joint resolution--together with copies of Senate Concurrent
15 Resolution No. 4--pursuant to the Rules of the United States House
16 of Representatives (namely, Rule XII, clauses 3 and 7) to the
17 Speaker, Clerk, and Parliamentarian of the United States House of
18 Representatives; and to all members of the United States House of
19 Representatives who represent districts in Texas; likewise
20 accompanied by a cover letter to each addressee drawing attention
21 to the fact that it is the 83rd Texas Legislature's courteous, yet
22 firm, request that the substance of this joint resolution--as well
23 as that of Senate Concurrent Resolution No. 4--be accurately
24 summarized in the United States House of Representatives' portion
25 of the *Congressional Record*, as an official memorial to the United
26 States House of Representatives, and that this joint
27 resolution--with Senate Concurrent Resolution No. 4 appended

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1 thereto--be referred to whichever committee(s) of the United States
2 House of Representatives that would have appropriate jurisdiction
3 in this matter.