

By: Anchia

H.C.R. No. 34

CONCURRENT RESOLUTION

1           WHEREAS, In *Citizens United v. Federal Election Commission*,  
2 the United States Supreme Court cast off precedent and  
3 long-standing campaign finance laws, which has resulted in  
4 unlimited corporate spending in elections; and

5           WHEREAS, The majority ruled that political spending is a form  
6 of protected speech under the First Amendment and that the  
7 government may not prevent corporations from giving money to  
8 support or oppose individual candidates for public office; the  
9 United States Constitution, however, does not mention  
10 corporations, and there is no evidence that the framers of the  
11 constitution wished to extend to corporations the same rights as  
12 natural persons in the electoral context; and

13           WHEREAS, Corporations, as the four dissenting judges noted in  
14 their opinion, are legal entities, and the conditional rights of  
15 corporations are granted not by the constitution but rather through  
16 the legislative deliberations of Congress and the states; and

17           WHEREAS, Unlike natural persons, corporations are granted  
18 certain privileges, including limited liability, perpetual life,  
19 and favorable treatment of the accumulation and distribution of  
20 assets, that enhance their ability to attract capital and to  
21 maximize the return on their shareholders' investments; yet these  
22 very privileges give corporations the financial capacity to drown  
23 out the individual voices of natural persons; moreover,  
24 corporations may be under the control of citizens of foreign

1 countries who are ineligible to participate in our elections; and

2           WHEREAS, Corporate money now spent in election campaigns  
3 threatens the free speech protections of individuals and the  
4 integrity and fairness of our electoral procedures, and the  
5 amendment process must be used to reverse this erroneous and  
6 damaging decision; now, therefore, be it

7           RESOLVED, That the 85th Legislature of the State of Texas  
8 hereby respectfully urge the Congress of the United States to  
9 propose and submit to the states for ratification an amendment to  
10 the United States Constitution that overturns the Supreme Court  
11 decision in *Citizens United v. Federal Election Commission*; and, be  
12 it further

13           RESOLVED, That the Texas secretary of state forward official  
14 copies of this resolution to the president of the United States, to  
15 the president of the Senate and the speaker of the House of  
16 Representatives of the United States Congress, and to all the  
17 members of the Texas delegation to Congress with the request that  
18 this resolution be entered in the Congressional Record as a  
19 memorial to the Congress of the United States of America.