By: Hughes S.C.R. No. 47

1 SENATE CONCURRENT RESOLUTION

2 WHEREAS, Overreaching regulatory policies mandated by the

3 federal government encroach upon liberties guaranteed to United

4 States citizens by the First, Second, Fourth, and Fifth Amendments

5 enumerated in the Bill of Rights; and

6 WHEREAS, In January 2017, the United States House of

7 Representatives passed the Regulations From the Executive in Need

8 of Scrutiny (REINS) Act, which requires that congressional approval

9 be obtained prior to the execution of new major regulations; even if

10 enacted, however, that law is vulnerable to repeal or waiver by a

11 future Congress or president; and

12 WHEREAS, States today have little recourse when the

13 government in Washington, D.C., oversteps its authority; the only

14 way to contest a federal regulation is to bring a constitutional

15 challenge in federal court or to seek an amendment to the

16 constitution; and

WHEREAS, Passage of a regulation freedom amendment would help

18 restore constitutional balance by providing that whenever

19 one-fourth of the members of either the United States House of

20 Representatives or the United States Senate transmit to the

21 president of the United States a written declaration of opposition

22 to a proposed federal regulation, the regulation would require a

23 majority vote of approval from both chambers for adoption; and

24 WHEREAS, A regulation freedom amendment would reestablish

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- 1 the separation of powers in the regulatory process and allow the
- 2 will of the people to be voiced through their democratically
- 3 elected representatives; now, therefore, be it
- 4 RESOLVED, That the 85th Legislature of the State of Texas
- 5 hereby respectfully urge the Congress of the United States to
- 6 propose and submit to the states for ratification a regulation
- 7 freedom amendment to the United States Constitution; and, be it
- 8 further
- 9 RESOLVED, That the Texas secretary of state forward official
- 10 copies of this resolution to the president of the United States, to
- 11 the president of the Senate and the speaker of the House of
- 12 Representatives of the United States Congress, and to all the
- 13 members of the Texas delegation to Congress with the request that
- 14 this resolution be entered in the Congressional Record as a
- 15 memorial to the Congress of the United States of America.