

By: Hughes

S.C.R. No. 47

CONCURRENT RESOLUTION

1           WHEREAS, Overreaching regulatory policies mandated by the  
2 federal government encroach upon liberties guaranteed to United  
3 States citizens by the First, Second, Fourth, and Fifth Amendments  
4 enumerated in the Bill of Rights; and

5           WHEREAS, In January 2017, the U.S. House of Representatives  
6 passed the Regulations From the Executive in Need of Scrutiny  
7 (REINS) Act, which requires that congressional approval be obtained  
8 prior to the execution of new major regulations; even if enacted,  
9 however, that law is vulnerable to repeal or waiver by a future  
10 Congress or president; and

11           WHEREAS, States today have little recourse when the  
12 government in Washington, D.C., oversteps its authority; the only  
13 way to contest a federal regulation is to bring a constitutional  
14 challenge in federal court or to seek an amendment to the  
15 constitution; and

16           WHEREAS, Passage of a regulation freedom amendment would help  
17 restore constitutional balance by providing that whenever  
18 one-fourth of the members of either the U.S. House of  
19 Representatives or the U.S. Senate transmit to the president of the  
20 United States a written declaration of opposition to a proposed  
21 federal regulation, the regulation would require a majority vote of  
22 approval from both chambers for adoption; and

23           WHEREAS, A regulation freedom amendment would reestablish  
24 the separation of powers in the regulatory process and allow the

1 will of the people to be voiced through their democratically  
2 elected representatives; now, therefore, be it

3       RESOLVED, That the 85th Legislature of the State of Texas  
4 hereby respectfully urge the Congress of the United States to  
5 propose and submit to the states for ratification a regulation  
6 freedom amendment to the U.S. Constitution; and, be it further

7       RESOLVED, That the Texas secretary of state forward official  
8 copies of this resolution to the president of the United States, to  
9 the president of the Senate and the speaker of the House of  
10 Representatives of the United States Congress, and to all the  
11 members of the Texas delegation to Congress with the request that  
12 this resolution be entered in the Congressional Record as a  
13 memorial to the Congress of the United States of America.