SENATE JOINT RESOLUTION

rescinding certain applications made by the Texas Legislature to the United States Congress to call a national convention under Article V of the United States Constitution for proposing any amendment to that Constitution.

WHEREAS, Over the years, the Texas Legislature has approved resolutions officially applying to the Congress of the United States to call a convention, under the terms of Article V of the Constitution of the United States, to offer various amendments to that Constitution; and

WHEREAS, While no Article V amendatory convention has yet taken place thus far in American history, nevertheless, there is a very real possibility that one, or more than one, could be triggered at some point in the future; and

WHEREAS, Regardless of their age, such past applications from Texas lawmakers remain alive and valid until such time as they are later formally rescinded; now, therefore, be it

RESOLVED, That the 85th Legislature of the State of Texas, Regular Session, 2017, hereby officially rescinds, repeals, revokes, cancels, voids, and nullifies any and all applications from Texas legislators prior to the 85th Legislature, Regular Session, 2017, other than the application provided by H.C.R. No. 31, Acts of the 65th Legislature, Regular Session, 1977, that apply to the United States Congress for the calling of a convention,
pursuant to Article V of the United States Constitution, regardless of how old such previous applications might be, and irrespective of what subject matters such applications pertained to; and, be it further

RESOLVED, That the 85th Legislature of the State of Texas, Regular Session, 2017, hereby declares that any application to the United States Congress for the calling of a convention under Article V of the United States Constitution that is submitted by the Texas Legislature during or after this Regular Session shall be automatically rescinded, repealed, revoked, canceled, voided, and nullified if the applicable convention is not called on or before the eighth anniversary of the date the last legislative vote is taken on the application; and, be it further

RESOLVED, That, in a manner which would furnish confirmation of delivery and tracking while en route, the Texas secretary of state shall transmit properly certified copies of this joint resolution of rescission, pursuant to the Standing Rules of the United States Senate (namely, Rule VII, paragraphs 4, 5, and 6), to the vice president of the United States (in his capacity as presiding officer of the United States Senate and addressed to him at the office which he maintains inside the United States Capitol Building); to the secretary and parliamentarian of the United States Senate; and to both United States senators representing Texas; accompanied by a cover letter to each addressee drawing attention to the fact that it is the 85th Texas Legislature's courteous, yet firm, request that the full and complete verbatim text of this joint resolution be duly published in the United States
S.J.R. No. 38

1 Senate's portion of the Congressional Record as an official
2 memorial to the United States Senate, and that this joint
3 resolution be referred to whichever committee or committees of the
4 United States Senate that would have appropriate jurisdiction in
5 this matter; and, be it further
6 RESOLVED, That, in a manner which would furnish confirmation
7 of delivery and tracking while en route, the Texas secretary of
8 state shall likewise transmit properly certified copies of this
9 joint resolution of rescission, pursuant to the Rules of the United
10 States House of Representatives (namely, Rule XII, clauses 3 and
11 7), to the speaker, clerk, and parliamentarian of the United States
12 House of Representatives; and to all members of the United States
13 House of Representatives who represent districts in Texas; likewise
14 accompanied by a cover letter to each addressee drawing attention
15 to the fact that it is the 85th Texas Legislature's courteous, yet
16 firm, request that the substance of this joint resolution be
17 accurately summarized in the United States House of
18 Representatives' portion of the Congressional Record as an official
19 memorial to the United States House of Representatives, and that
20 this joint resolution be referred to whichever committee or
21 committees of the United States House of Representatives that would
22 have appropriate jurisdiction in this matter.
S.J.R. No. 38

______________________________
President of the Senate

I hereby certify that S.J.R. No. 38 was adopted by the Senate on February 28, 2017, by the following vote: Yeas 31, Nays 0; and that the Senate concurred in House amendment on May 11, 2017, by the following vote: Yeas 31, Nays 0.

______________________________
Speaker of the House

______________________________
Secretary of the Senate

I hereby certify that S.J.R. No. 38 was adopted by the House, with amendment, on May 3, 2017, by the following vote: Yeas 125, Nays 20, one present not voting.

______________________________
Chief Clerk of the House