86R10876 BEF-D

By:  Nevárez H.J.R. No. 121

A JOINT RESOLUTION

applying to the Congress of the United States to call a convention under Article V of the United States Constitution for the limited purpose of proposing an amendment to the United States Constitution to ensure balance, integrity, and transparency in our national campaign finance system.

WHEREAS, The framers of the United States Constitution gave us a republic and intended that the Congress of the United States should be "dependent on the people alone" (James Madison, Federalist No. 52); and

WHEREAS, That dependency has evolved from a dependency on the people alone to a dependency on powerful special interests, through spending by third-party groups, campaigns, and out-of-state donors, that has created a fundamental imbalance in our representative democracy and eroded the people's trust in government; and

WHEREAS, The Texas Constitution states: "All political power is inherent in the people, and all free governments are founded on their authority, and instituted for their benefit" and the people have the right at all times to reform their government "in such manner as they may think expedient" (Section 2, Article I); and

WHEREAS, Article V of the United States Constitution requires Congress to call a convention for proposing amendments to that constitution on the application of two-thirds of the legislatures of the several states; and

WHEREAS, The 86th Texas Legislature perceives the need for a convention to propose an amendment to the United States Constitution to ensure balance, integrity, and transparency in our national system of campaign finance and desires that said convention be so limited to that purpose; and

WHEREAS, The 86th Texas Legislature intends that this joint resolution be a continuing application considered together with applications calling for a convention for a similar purpose until such time as the legislatures of at least two-thirds of the several states have applied for a convention and the convention is convened by Congress; and

WHEREAS, A national convention would give us an opportunity to come together as a nation to discuss solutions for ensuring the integrity of our elections and renew the American people's trust in government; and

WHEREAS, Article V of the United States Constitution clearly states that any amendment, whether proposed by Congress or a convention, must be ratified by three-fourths of the states (presently 38 states), ensuring that only the most reasonable proposals with widespread support become part of our constitution; and

WHEREAS, Notwithstanding any federal or state law, the State of Texas desires that the delegates to a convention be composed equally of individuals currently elected to state and local office, or be selected by election in each congressional district in Texas, though all individuals elected or appointed to federal office now or in the past be prohibited from serving as Texas delegates to the convention; and the State of Texas intends to retain the ability to enforce the responsibility and conduct of its delegation within the limits herein expressed; now, therefore, be it

RESOLVED, That the people of the State of Texas speaking through their legislature, and pursuant to Article V of the United States Constitution, hereby apply to the United States Congress to call a convention for the exclusive and limited purpose of proposing an amendment to the United States Constitution that will permanently protect fair elections as described herein by ensuring balance, integrity, and transparency in our national system of campaign finance as soon as two-thirds of the legislatures of the several states have applied for a convention for a similar purpose; and, be it further

RESOLVED, That the Texas Secretary of State forward official copies of this resolution to the president of the United States, the speaker of the House of Representatives of the United States, the presiding officer of the Senate of the United States, and all members of the Texas delegation to Congress, with the respectful request that the full and complete text of this resolution be printed in the Congressional Record, and to the presiding officers of each legislative body of each of the several states, requesting the cooperation of the states in issuing an application compelling Congress to call a convention for proposing amendments pursuant to Article V of the United States Constitution on this subject.