

By: Nevárez

H.J.R. No. 121

A JOINT RESOLUTION

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

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

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

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

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

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

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

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

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

22       WHEREAS, Notwithstanding any federal or state law, the State  
23 of Texas desires that the delegates to a convention be composed  
24 equally of individuals currently elected to state and local office,  
25 or be selected by election in each congressional district in Texas,  
26 though all individuals elected or appointed to federal office now  
27 or in the past be prohibited from serving as Texas delegates to the

1 convention; and the State of Texas intends to retain the ability to  
2 enforce the responsibility and conduct of its delegation within the  
3 limits herein expressed; now, therefore, be it

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

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