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By:  Johnson S.C.R. No. 27

CONCURRENT RESOLUTION

WHEREAS, We the people, the U.S. Congress, and the states have a compelling interest in fostering robust political debate and self-government, securing the liberty, political equality, and equal free speech rights of our citizens, guarding against corruption, protecting the integrity and fairness of elections, and preserving federalism and the interest of the states; and

WHEREAS, Over time, the U.S. Supreme Court has gradually come to equate unlimited spending to influence elections with "free speech"; and

WHEREAS, The very privileges given to corporations or other artificial entities that enhance their ability to attract capital and maximize the return on their shareholders' investments also give them financial capacity to engage in spending that drowns out the individual voices of natural persons; and

WHEREAS, Corporations and other artificial entities may be under the control of citizens of foreign countries who are ineligible to participate in our elections; and

WHEREAS, Money from outside of Texas increasingly influences the selection of candidates and election results in the state; and

WHEREAS, The influence of concentrated capital on our political system, whether from wealthy individuals, corporations, or other artificial entities, is damaging the interests of free debate and speech for all citizens, weakening the rights of states to self-governance in our federal system, increasing the risk of systemic corruption, and forcing candidates and elected officials to engage in a money arms race that distracts from their responsibilities to their constituents; and

WHEREAS, As with previous occasions when the people have been called to correct Supreme Court misinterpretations of the Constitution, a constitutional amendment is necessary to correct this situation; and

WHEREAS, Reasonable, content-neutral limits on the role of money used to influence outcomes of elections are necessary to secure the rights of all the citizens of our state to be represented and to participate in elections and self-government regardless of wealth, to protect the integrity of elections and government against out-of-state and foreign interests and undue influence of concentrated economic capital, and to advance other values identified herein; now, therefore, be it

RESOLVED, That the 87th Legislature of the State of Texas hereby respectfully urge the Congress of the United States to propose and submit to the states for ratification an amendment to the United States Constitution to clarify that states may set reasonable limits on the raising and spending of money by candidates and others to influence elections and ballot measures in the states, and that Congress may set reasonable limits on the raising and spending of money by candidates and others to influence federal elections, and that in so doing the states and Congress may distinguish between natural persons and corporations and other artificial entities created by law, including prohibiting such entities from spending money to influence elections and ballot measures; and, be it further

RESOLVED, That the Texas secretary of state forward official copies of this resolution to the speaker and the minority leader of the United States House of Representatives, to the majority and minority leaders of the United States Senate, and to each member of the Texas congressional delegation with the request that this resolution be entered in the Congressional Record as a memorial to the Congress of the United States of America.