

**HOUSE OF REPRESENTATIVES
COMPILATION OF PUBLIC COMMENTS**

Submitted to the Committee on State Affairs
For SB 610

Compiled on: Wednesday, May 17, 2023 6:28 PM

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Hearing Date: May 17, 2023 10:30 AM - or upon final adjourn./recess or bill referral if permission granted

k holt
self
SMITHVILLE, TX

I don't believe for a minute that a delegate or alternate would be punished for an unauthorized vote. A federal Article V convention can only be a runaway one, and delegates will be outnumbered anyway. Besides, if one casts an unauthorized vote, punishment for that vote is too little, too late, as it has already been cast. SB 610 is smoke and mirrors, and needs to be opposed.

Dennis Botkin
Self
Richardson, TX

SB610 is more Legislation to the uninformed legislators, with very little penalty for the “rouge” TEXAS COS delegates. It is purposely being rushed through in these final days along with so many other time-sensitive bills. We want a NO vote on both SJR 52 and SB 610.

Barbara Harless, Mrs.

self

Murphy, TX

SB610 is a pig with lipstick!

This is a “feel good” proposal to convince you to pass SJR52 (to extend a sunset provision on Texas applications for a convention under Article V of the U.S. constitution).

FACTS:

1) An Article V convention is a “federal” body created under the U.S. Constitution, not the Texas Constitution, and not controlled by any state legislature through state statutes, such as SB610.

2) Once an Article V convention convenes, Texas has no control over ANY delegate to a federal body, much like Texas has no control over what Congress does. Read Article V. Only Congress or delegates to an Article V convention can propose amendments (plural). Convention delegates will have the same power as Congress.

3) Convention delegates will be immune from arrest. (U.S. Constitution, Art I, sec. 6: "...The Senators and Representatives shall be privileged from arrest during their attendance at the session of their respective Houses, and in going to and returning from the same; and for any speech or debate in either House, they shall not be questioned in any other place. ")
(Texas Constitution, Art. 3, sec 14: "...PRIVILEGED FROM ARREST. Senators and Representatives shall, except in cases of treason, felony, or breach of the peace, be privileged from arrest during the session of the Legislature, and in going to and returning from the same. ")

4) If a future Article V convention follows historical precedence (the 1787 convention), that body can elect to vote by secret ballot. Texas won't know what their delegates do, and further will have NO authority to recall a vote from a Texas delegate once a vote is cast.

5) SB610 proposes a state jail penalty for certain Texas delegates in an Article V convention. Read the bill – 393.1035...a judge can reduce the penalty to 10 days in jail. Are we to believe that this is a deterrent to influence by the deep pocketed lobbyists? We all know the answer here.

6) IF, with emphasis on IF, any bad proposals come from an Article V convention, don't count on 1/4 of the states to vote it down. Look what happened with the 16th, 17th, and 18th Amendments! We all agree those were awful amendments. Additionally, an Article V convention could propose much weaker requirements for ratification, just as did the 1787 constitutional convention. That 1787 convention removed the then required 100% ratification and replaced it with only 75% ratification required. Guess what? It worked, and the requirements can easily be watered down again.

We can't appoint someone to address our own shortcomings. Opening up the constitution to those who don't enforce it will only kill the few individual freedoms we still enjoy, at least on paper.

DON'T BE FOOLED BY A PIG WITH LIPSTICK.

Chris Donofrio

Self

The Woodlands, TX

I support SB 610, although I believe it is unnecessary.

Please pass it out of committee.

Please work to get a floor vote before the session ends.

I believe our current law is sufficient. There are checks and balances.

SB 610 is only needed if one assumes corrupt intent is an inherent part of our delegate selection process.

While I recognize our politicians have become increasing ideological (both Democrats and Republicans), I hope this doesn't actually corrupt delegate selection.

Perhaps I'm too optimistic?

Nevertheless, SB 610 provides another check on potential corruption.

I support SB 610.

Respectfully,

Chris J. Donofrio

Allen Huffhines

Individual

Dallas, TX

Please vote no. This bill is meaningless as a judge can reduce penalty.

I'm surprised at Hughed.

A ConCon is dangerous and these types of restrictions would not stand up

Please vote no.

Kathryn Bartel

self

Plano, TX

Please vote "YES" on SB 610

Kenneth S. Hoover

self. retired

Cypress, TX

This measure is based on the fallacy of the conflation of the respective roles of the state legislatures and the U. S. Congress in the Article V amendment process. As legal authorities agree, the role of the various state legislatures is to "apply" to Congress for such a convention. When the Congress receives "applications" from the several states its duty is to "call" a convention for proposing amendments. And therein "hangs the tale." "Apply" and "Call" represent separate and distinct functions. The states duty is to do the applying. The Congress, on the other hand, does their duty by "calling" forth such a convention. It is widely held in legal circles that the term "Call" encompasses setting the date, location, establishing the rules, establishing the qualifications and rules for the selection and discipline of delegates, etc. Under Article V the state legislatures are not granted any authority or duty to regulate the conduct of their delegates. This is a false claim that has been used to persuade skeptical state legislatures to sign on for the Convention of States. SB 610, a so-called "faithful delegate" bill lacks constitutionality. Therefore the Texas Legislature should reject this "con job" out of hand.

Incidentally, the agenda or subject matter of the Convention is to be set by the Convention itself. Not by the Legislatures or the federal Congress.

Susan Chamberlain
"Self" / On-site Storage Manager
Marshall, TX

Dear Committee members, thank you for taking time to hear this in at Bill and I am in favor of this bill because I do believe that we need to hold our voted delegate and alternate delegates Accountable with a criminal offense, if they do not vote the way the majority of people want them to. I do believe that this would be a great companion bill for SJR 52, which I am also in favor of. Thank you for all that you do for the great state of Texas. God bless you.

Daniel Wilson
Self
Rio Hondo, TX
In favor of this

Ginelle Baker
None
Alvin, TX
In favor

David Swift
myself
Windcrest, TX
please pass this bill as there needs to be a penalty for this offense

Bonnie Seelig
Self Retired
Spicewood, TX

SUPPORT 610
Anyone who represents others with a vote, whether electoral college or delegate at an Article V convention, promises to represent the people who put them in that position. Since we can't count on the integrity of people, we must count on promised repercussions for actions to influence actions. Now we have only to be concerned that the legal and judicial component do their job in charging a criminal offense on those who shirk their duty. Since that has not been the case of recent times, we continue to hold faith in "a few men and women" of integrity (high moral principles/values) and courage. We might be surprised!

Amanda Logan
self
Austin, TX

I SUPPORT This bill. Please vote YES to this bill relating to an unauthorized vote by a delegate or alternate delegate to a federal Article V convention; creating a criminal offense.

Linda Durnin
self
Austin, TX

Dear Senator Hughes,
I ask you to vote for SB610 - Relating to an unauthorized vote by a delegate or alternate delegate to a federal Article V convention; creating a criminal offense.
Thank you,
Linda Durnin
78759