

By: Paxton

S.C.R. No. 28

CONCURRENT RESOLUTION

1 WHEREAS, Our nation was founded on the principle of popular
2 sovereignty, with a government of, by, and for the American people,
3 and each generation has a responsibility to ensure that the promise
4 of self-government is open to all Americans; and

5 WHEREAS, The framers of the U.S. Constitution recognized the
6 peril of allowing outside influences to infiltrate our politics;
7 Article I, Section 9, Clause 8 of the Constitution forbids
8 officeholders from accepting any manner of title or financial
9 compensation from a foreign power; in *The Federalist* No. 68,
10 Alexander Hamilton warned of "the desire in foreign powers to gain
11 an improper ascendant in our councils," while, in his farewell
12 address, George Washington cautioned that "history and experience
13 prove that foreign influence is one of the most baneful foes of
14 republican government"; and

15 WHEREAS, Through the years, Congress has passed a variety of
16 legislation to combat foreign interference, such as the Federal
17 Election Campaign Act, which includes a ban on spending by foreign
18 nationals in federal, state, and local elections; today, however,
19 our broken system of election spending makes it easy for foreign
20 entities to spend millions of dollars to influence our elections
21 and ballot initiatives, through such means as illegal donations
22 directly to candidates, hidden contributions to dark money groups,
23 influence campaigns, and brazen spending in ballot elections by
24 government-owned entities; and

1 WHEREAS, Decades of judicial overreach have also enabled
2 domestic actors to drown out the voices of individual voters;
3 Supreme Court decisions degrading transparency and equating
4 unlimited election spending with "free speech" have allowed
5 billionaires, corporations, unions, and other wealthy special
6 interests to dominate and distort the public discourse, narrowing
7 debate, weakening federalism and state self-governance, and
8 increasing the risk of systemic corruption; and

9 WHEREAS, Like the U.S. Constitution, the Constitution of
10 Texas affirms that political power rests with the people in our
11 republican form of government; our continued liberty depends
12 heavily on protecting free speech interests of individual citizens
13 and maintaining the integrity of our elections and our government
14 in the face of outside pressures; and

15 WHEREAS, The framers wisely granted the states the power to
16 amend the U.S. Constitution when necessary, and few issues are more
17 important than the preservation of the people's sovereign interests
18 in robust political debate, the integrity of the electoral process,
19 open and representative self-government, and the political
20 equality of natural persons; now, therefore, be it

21 RESOLVED, That the 89th Legislature of the State of Texas
22 hereby respectfully urge the United States Congress to propose and
23 send to the states for ratification a constitutional amendment to
24 clarify that the states and Congress, within their respective
25 jurisdictions, may reasonably regulate and limit the spending of
26 money to influence campaigns, elections, or ballot measures, and
27 that, in so doing, the states and Congress may distinguish between

1 natural persons and artificial entities such as corporations,
2 unions, and artificial intelligences; and, be it further

3 RESOLVED, That the Texas secretary of state forward official
4 copies of this resolution to the president of the United States, to
5 the president of the Senate and the speaker of the House of
6 Representatives of the United States Congress, and to all the
7 members of the Texas delegation to Congress with the request that
8 this resolution be entered in the Congressional Record as a
9 memorial to the Congress of the United States of America.