

SENATE JOINT RESOLUTION 2

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By: **Senators Pinsky, Guzzone, Kelley, King, Kramer, Lee, and Smith**

Introduced and read first time: January 27, 2020

Assigned to: Education, Health, and Environmental Affairs

SENATE JOINT RESOLUTION

1 A Senate Joint Resolution concerning

2 **United States Constitution – Amendments Convention – Democracy Amendment**

3 FOR the purpose of applying to the U.S. Congress for an amendments convention called
4 under Article V of the U.S. Constitution, on the application of the legislatures of
5 two-thirds of the several states, to propose an amendment or amendments to the
6 U.S. Constitution that affirm individuals' right to vote, reserve constitutional rights
7 to natural persons, or authorize regulation of contributions and expenditures
8 intended to influence elections; and generally relating to an application to Congress
9 for a convention to propose an amendment to the U.S. Constitution.

10 WHEREAS, Elections should be free of the influence of excessive campaign spending
11 by outside interests and fair enough that any citizen is able to run for public office; and

12 WHEREAS, The U.S. Supreme Court has removed the wall of separation between
13 private wealth and democratic elections by removing prohibitions against unlimited
14 electoral expenditures in *Citizens United v. Federal Election Commission*, *McCutcheon v.*
15 *Federal Election Commission*, and related cases; and

16 WHEREAS, Article V of the U.S. Constitution states that “on the Application of the
17 Legislatures of two-thirds of the several States,” Congress “shall call a Convention for
18 proposing Amendments”; and

19 WHEREAS, The Bill of Rights and four of the last ten amendments to the U.S.
20 Constitution were added to the U.S. Constitution at least partly in response to pressure
21 from state legislatures calling for a convention of the states to propose an amendment; and

22 WHEREAS, Most prior constitutional amendments have been added to create a more
23 perfect union by making America more democratic, more inclusive, and more accountable
24 to the people; and

25 WHEREAS, The General Assembly of Maryland desires that the delegates from the
26 State to the convention be composed of citizens, in numbers equal to the number of



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1 presidential electors in the State selected by the General Assembly; and

2 WHEREAS, The General Assembly of Maryland desires that the delegates from the
3 State be composed of an equal number of men and women and be reflective of the voter
4 registration in the State; and

5 WHEREAS, The General Assembly of Maryland desires that all individuals elected
6 to federal offices shall be prohibited from serving as delegates to the convention; and

7 WHEREAS, The State of Maryland intends to retain the ability to restrict or expand
8 the power of its delegates within the limits expressed above; and

9 WHEREAS, The State of Maryland intends that this application for an amendments
10 convention shall be considered in keeping with the applications already submitted on this
11 topic such as those passed by the 2013–2014 Vermont legislature as R454, the 2013–2014
12 California legislature as Resolution Chapter 77, the 98th Illinois General Assembly as SJR
13 42, the 2014–2015 New Jersey legislature as SCR 132, the 2015–2016 Rhode Island
14 legislature as HR 7670 and SR 2589, and all other passed, pending, and future applications
15 on this same topic; now, therefore, be it

16 RESOLVED BY THE GENERAL ASSEMBLY OF MARYLAND, That, as provided
17 in Article V of the U.S. Constitution, the General Assembly of Maryland respectfully applies
18 to the U.S. Congress for an amendments convention to be called, as soon as two-thirds of
19 the several states have applied for a convention, for the purpose of proposing an
20 amendment or amendments to the U.S. Constitution regarding any of these specific and
21 limited purposes:

22 (1) affirming every individual citizen's right to vote;

23 (2) reserving constitutional rights to natural persons; or

24 (3) authorizing the regulation of contributions and expenditures intended
25 to influence elections; and be it further

26 RESOLVED, That delegates to the convention from Maryland may not propose or
27 support amendments that do not have the primary goals of addressing only the specific and
28 limited purposes enumerated above; and be it further

29 RESOLVED, That this application constitutes a continuing application in
30 accordance with Article V of the U.S. Constitution and shall expire on January 20, 2029,
31 without any further action from the General Assembly of Maryland; and be it further

32 RESOLVED, That certified copies of this Joint Resolution be sent by the Secretary
33 of State to:

34 (1) the Honorable Michael R. Pence, Vice President of the United States,
35 President of the United States Senate, Suite S-212, United States Capitol Building,

1 Washington, D.C. 20510; the Honorable Charles Grassley, President Pro Tempore of the
2 United States Senate, 135 Hart Office Building, Washington, D.C. 20510; and the
3 Honorable Nancy Pelosi, Speaker of the United States House of Representatives, 1236
4 Longworth House Office Building, Washington, D.C. 20515; and

5 (2) the Maryland Congressional Delegation: Senators Benjamin L. Cardin
6 and Christopher Van Hollen, Jr., Senate Office Building, Washington, D.C. 20510; and
7 Representatives Andrew P. Harris, C. A. Dutch Ruppersberger III, John P. Sarbanes,
8 Anthony G. Brown, Steny Hamilton Hoyer, David J. Trone, Elijah E. Cummings, and Jamie
9 Raskin, House Office Building, Washington, D.C. 20515; and

10 (3) the Honorable David S. Ferriero, Archivist of the United States,
11 National Archives and Records Administration, 709 Pennsylvania Avenue, N.W.,
12 Washington, D.C. 20408; and

13 (4) the Honorable Julie E. Adams, Secretary of the United States Senate,
14 United States Capitol Building, Suite S-312, Washington, D.C. 20510; the Honorable
15 Elizabeth MacDonough, Parliamentarian of the United States Senate, United States
16 Capitol Building, Suite S-133, Washington, D.C. 20510; the Honorable Cheryl L. Johnson,
17 Clerk of the United States House of Representatives, Suite H-154, United States Capitol
18 Building, Washington, D.C. 20515; and the Honorable Thomas J. Wickham, Jr.,
19 Parliamentarian of the United States House of Representatives, Room H-209, United
20 States Capitol Building, Washington, D.C. 20515, requesting that they publish this Joint
21 Resolution in the Congressional Record and list this application in the official tally of state
22 legislative applications for a convention of the states under Article V of the U.S.
23 Constitution; and be it further

24 RESOLVED, That the Secretary of State is directed to send copies of this Joint
25 Resolution to the presiding officers of both Houses of the legislature of each of the several
26 states, with the request that it be circulated among leaders in the legislative branch of the
27 state governments; and with the further request that each of the states join in requesting
28 the U.S. Congress to call a convention for the purpose of initiating a proposal to amend the
29 U.S. Constitution as described in this Joint Resolution.