

Department of Legislative Services

Maryland General Assembly

2022 Session

FISCAL AND POLICY NOTE**First Reader**Senate Joint Resolution 8 (Senator Ready, *et al.*)

Education, Health, and Environmental Affairs

United States Constitution - Amendments Convention - Limitations on Federal Power

This joint resolution states that the General Assembly applies to the U.S. Congress for an amendments convention to be called, pursuant to Article V of the U.S. Constitution, as soon as two-thirds of the states have applied for a convention, to propose amendments to the U.S. Constitution that impose fiscal restraints on the federal government, limit the power and jurisdiction of the federal government, and limit the terms of office for officials of the federal government and for the members of the U.S. Congress. Delegates to the convention from Maryland may not propose amendments that do not address the goals listed in the joint resolution. The application constitutes a continuing application until at least two-thirds of the legislatures of the states have made application for an equivalently limited amendments convention.

Fiscal Summary

State Effect: The joint resolution does not affect State finances.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: Article V of the U.S. Constitution states that Congress may propose amendments to the U.S. Constitution with votes of two-thirds of both Houses. States may also apply to Congress to call a convention for proposing amendments, upon application

of two-thirds of the states. Amendments in either case must be ratified by the legislatures of three-fourths of the states or by conventions in three-fourths of the states “as the one or the other mode of ratification may be proposed by the Congress.”

Additional Information

Prior Introductions: HJ 6 of 2021 received a hearing in the House Rules and Executive Nominations Committee, but no further action was taken. HJ 11 of 2020, a similar joint resolution, received a hearing in the House Rules and Executive Nominations Committee, but no further action was taken. Similar legislation was introduced in the 2016 through 2019 sessions.

Designated Cross File: HJ 6 (Delegate M. Fisher, *et al.*) - Rules and Executive Nominations.

Information Source(s): Department of Legislative Services

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