

BILL ANALYSIS

Senate Research Center

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AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Over the years, the Texas Legislature has approved resolutions officially applying to the Congress of the United States to call a convention, under the terms of Article V of the Constitution of the United States, to offer various amendments to that Constitution.

With no statutory or constitutional infrastructure currently in place that would address such basic concerns as how such a convention would operate procedurally, who would serve as delegates, how many delegates there would be, and whether or not such a convention could be limited to just one subject, among several other lingering issues, it would be unwise for this country to initiate such a convention.

While no Article V convention has yet taken place thus far in American history, nevertheless, there is a very real possibility that one, or more than one, could be triggered at some point in the future, the results of which cannot be predicted.

As recently as the 1980s, our nation came dangerously close to an Article V convention ostensibly for the otherwise laudable goal of adding an amendment to the United States Constitution to require that the budget of the federal government be balanced. From 1988 to 2010, lawmakers in 17 states rescinded their applications for an Article V convention for a balanced budget amendment.

At the present time, given the numerous unanswered questions surrounding an Article V convention, it should be made abundantly clear that the Texas Legislature has absolutely no desire or intention for Congress to call an Article V convention, whether such a convention be for one single, presumably specific proposed amendment, or be it for an amendment or amendments for which no particular description or details have been set forth.

Regardless of their age, such past resolutions from Texas lawmakers remain alive and valid until such time as they are later formally rescinded.

RESOLVED

That the 83rd Legislature of the State of Texas, Regular Session, 2013, hereby officially rescinds, repeals, revokes, and nullifies any and all prior applications from Texas legislators applying to the United States Congress for the calling of a convention pursuant to Article V of the United States Constitution, regardless of how old such previous applications might be, and irrespective of what subject matters such applications pertained to.

That, in a manner which would furnish confirmation of delivery and tracking while en route, the Texas Secretary of State shall transmit properly-certified copies of this joint resolution of rescission, pursuant to the Standing Rules of the United States Senate (namely, Rule VII, paragraphs 4, 5, and 6), to the Vice-President of the United States (in his capacity as presiding officer of the United States Senate and addressed to him at the office which he maintains inside the United States Capitol Building), to the Secretary and Parliamentarian of the United States Senate, and to both United States Senators representing Texas, accompanied by a cover letter to each addressee drawing attention to the fact that it is the 83rd Texas Legislature's courteous, yet firm, request that the full and complete verbatim text of this joint resolution be duly published in the United States Senate's portion of the *Congressional Record*, as an official memorial to the

United States Senate, and that this joint resolution be referred to whichever committee or committees of the United States Senate have appropriate jurisdiction in this matter.

That, in a manner which would furnish confirmation of delivery and tracking while en route, the Texas Secretary of State shall likewise transmit properly-certified copies of this joint resolution of rescission, pursuant to the Rules of the United States House of Representatives (namely, Rule XII, clauses 3 and 7), to the Speaker, Clerk, and Parliamentarian of the United States House of Representatives, and to all members of the United States House of Representatives who represent districts in Texas, likewise accompanied by a cover letter to each addressee drawing attention to the fact that it is the 83rd Texas Legislature's courteous, yet firm, request that the substance of this joint resolution be accurately summarized in the United States House of Representatives' portion of the *Congressional Record*, as an official memorial to the United States House of Representatives, and that this joint resolution be referred to whichever committee or committees of the United States House of Representatives have appropriate jurisdiction in this matter.