

BILL ANALYSIS

Senate Research Center
84R7355 TJB-F

H.J.R. 77
By: Miller, Rick et al. (Bettencourt)
State Affairs
5/21/2015
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

A convention of states is a convention called by state legislatures for the purpose of proposing amendments to the Constitution. They are given power to do this under Article V, Section 2, of the Constitution.

Interested parties argue that the fiscal issues we are facing at a national level endanger the stability of our state's economy and as such, the states need to take action and rein in the size and scope of the federal government.

H.J.R. 77 puts in an application to the federal government for a convention of the states for the limited purpose of proposing one or more amendments to the constitution to impose fiscal restraints on the federal government, to limit the power and jurisdiction of the federal government, and to limit the terms of office of federal officials and members of Congress.

The drafters of the United States Constitution empowered state legislatures to be guardians of liberty against abuses of power by the federal government.

The federal government has abused its power by creating a crushing national debt through improper and imprudent spending.

The federal government has abused its power by invading the legitimate role of the states through the manipulative process of federal mandates that are to a great extent unfunded.

The federal government has ceased to abide by a proper interpretation of the United States Constitution.

It is the solemn duty of state legislatures to protect the liberty of the people and of future generations by proposing amendments to the United States Constitution that place clear restraints on federal power.

Article V of the United States Constitution authorizes the several state legislatures to restrict the power of the federal government through the amendment process.

Article V of the United States Constitution provides that on application of the legislatures of two-thirds of the several states Congress shall call a convention for the purpose of proposing amendments to the constitution.

RESOLVED

That the 84th Texas Legislature apply to Congress to call a convention under Article V of the United States Constitution for the limited purpose of proposing one or more amendments to the constitution to impose fiscal restraints on the federal government, to limit the power and jurisdiction of the federal government, and to limit the terms of office of federal officials and members of Congress.

That, unless rescinded by a succeeding legislature, this application by the 84th Texas Legislature constitutes a continuing application in accordance with Article V of the United States Constitution until at least two-thirds of the legislatures of the several states have applied to

Congress to call a convention for the limited purpose of proposing one or more amendments to the constitution to impose fiscal restraints on the federal government, to limit the power and jurisdiction of the federal government, and to limit the terms of office of federal officials and members of Congress.

That the Texas secretary of state forward official copies of this resolution to the president of the United States, to the speaker of the House of Representatives and the president of the Senate of the Congress of the United States, and to all members of the Texas delegation to Congress with the request that this resolution be officially entered in the Congressional Record as an application to Congress for a convention under Article V of the United States Constitution for the limited purpose of proposing one or more amendments to the constitution to impose fiscal restraints on the federal government, to limit the power and jurisdiction of the federal government, and to limit the terms of office of federal officials and members of Congress.

That the Texas secretary of state forward official copies of this resolution to the secretaries of state and to the presiding officers of the legislatures of the several states with the request that they join this state in applying to Congress for a convention under Article V of the United States Constitution for the limited purpose of proposing one or more amendments to the constitution to impose fiscal restraints on the federal government, to limit the power and jurisdiction of the federal government, and to limit the terms of office of federal officials and members of Congress.