

Model Resolution for a State Legislature to Rescind All Constitutional Convention Applications
Be sure to fill in all blanks with the appropriate information and have professional help in drafting the resolution to fit the format of your state.

LEGISLATURE OF THE STATE OF _____

___[(SENATE OR HOUSE)]___ CONCURRENT RESOLUTION NO. _____

BY _____

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE; RESCINDING, REPEALING, CANCELING, VOIDING AND SUPERSEDING ANY AND ALL EXTANT APPLICATIONS BY THE LEGISLATURE OF THE STATE OF _____ HERETOFORE MADE DURING ANY SESSION THEREOF TO THE CONGRESS OF THE UNITED STATES OF AMERICA TO CALL A CONVENTION PURSUANT TO THE TERMS OF ARTICLE V OF THE UNITED STATES CONSTITUTION FOR PROPOSING ONE OR MORE AMENDMENTS TO THAT CONSTITUTION; URGING THE LEGISLATURES OF OTHER STATES TO DO THE SAME; DIRECTING THAT COPIES OF THIS RESOLUTION BE SENT TO SPECIFIED PERSONS.

Be it Resolved by the Legislature of the State of _____:

WHEREAS, the Legislature of the State of _____, acting with the best of intentions, has, at various times, and during various sessions, previously made applications to the Congress of the United States of America to call one or more conventions to propose either a single amendment concerning a specific subject or to call a general convention to propose an unspecified and unlimited number of amendments to the United States Constitution, pursuant to the provisions of Article V thereof; and,

WHEREAS, former Justice of the United States of America, Warren E. Burger, former Associate Justice of the United States Supreme Court Arthur J. Goldberg and other leading constitutional scholars agree that such a convention may propose sweeping changes to the Constitution, any limitations or restrictions purportedly imposed by the states in applying for such a convention or conventions to the contrary notwithstanding, thereby creating an imminent peril to the well-established rights of the citizens and the duties of various levels of government; and,

WHEREAS, the Constitution of the United States of America has been amended many times in the history of this nation and may be amended many more times, without the need to resort to a constitutional convention, and has been interpreted for more than two hundred years and has been found to be a sound document which protects the lives and liberties of the citizens; and,

WHEREAS, there is no need for, rather, there is great danger in, a new constitution or in opening the Constitution to sweeping changes, the adoption of which would only create legal chaos in this nation and only begin the process of another two centuries of litigation over its meaning and interpretation:

NOW, THEREFORE, BE IT RESOLVED by the members of the _____ Session of the _____ Legislature, the Senate [or House of Representatives, i.e. the house where the resolution is first introduced] and the House of Representatives [or Senate, i.e. the second house after passage in the house of origin] concurring, that the Legislature does hereby rescind, repeal, cancel, nullify, and supersede to the same effect as if they had never been passed, any and all extant applications by the Legislature of the State of _____ to the Congress of the United States of America to call a convention to propose amendments to the Constitution of the United States of America, pursuant to the terms of Article V thereof, regardless of when or by which session or sessions of the _____ Legislature such applications were made and regardless of whether such applications were for a limited convention to propose one or more amendments regarding one or more specific subjects and purposes or for a general convention to propose an unlimited number of amendments upon an unlimited number of subjects.

BE IT FURTHER RESOLVED, that the Legislature of the State of _____ urges the legislatures of each and every state which has applied to Congress to call a convention for either a general or a limited constitutional convention, to repeal, and withdraw such applications.

AND BE IT FURTHER RESOLVED, that the Secretary of the Senate be, and is hereby authorized and directed to send copies of this Resolution to the Secretary of State, to the presiding officers of both houses of the legislatures of each state in the Union, to the president of the United States Senate, to the United States Congress, by sending copies to the Speaker of the United States House of Representatives, to the members of Congress of the United States representing the State and people of _____, and to the Archivist of the United States, National Archives and Records Administration, Washington, D.C. (<http://www.archives.gov/>)