

## U.S. Constitutional Amendment Process

*There are 2 ways to propose a Constitutional amendment. One has never been used.*

**The first method:** A bill must pass both houses of Congress, by a **2/3** majority in each (**290** members of the House and **67** Senators must support the amendment). Once the bill has passed both houses, it must be ratified by **3/4** of state legislatures (**38**). *This is the route taken by all current amendments.*

State legislatures have however, at various times, used their power to apply for a national convention in order to pressure Congress into proposing a desired amendment. For example, the movement to amend the Constitution to provide for the direct election of U.S. Senators began to see such proposals regularly pass the House of Representatives from the early 1890s onward. As time went by, more and more state legislatures adopted resolutions demanding that a convention be called, thus pressuring the Senate to finally relent and approve what later became the Seventeenth Amendment.

**The second method:** A Constitutional Convention is called for by **2/3** of state legislatures (**34**), to propose one or more amendments. These amendments are then sent to be approved of by **3/4** of the state legislatures or state conventions (**38**). *This route has never been taken.*

Regardless of which of the two proposal routes is taken, the amendment must be ratified, or approved, by **3/4** of states (**38**). The amendment becomes part of the Constitution as soon as the 38th state ratifies it. Passage by the legislature or convention is by simple majority.

**The Constitution, then, spells out four paths for an amendment:**

1. Proposal by convention of states, ratification by state conventions (never used)
2. Proposal by convention of states, ratification by state legislatures (never used)
3. Proposal by Congress, ratification by state conventions (used once)
4. Proposal by Congress, ratification by state legislatures (used all other times)

*It is interesting to note that the President cannot veto an amendment proposal or a ratification.*

