

By: Hinojosa

H.J.R. No. 120

A JOINT RESOLUTION

1 applying to Congress for a limited national convention for the  
2 exclusive purpose of proposing an amendment to the United States  
3 Constitution to restore balance and integrity to our elections.

4 WHEREAS, The framers of the Constitution of the United States  
5 intended that the Congress of the United States should be  
6 "dependent on the people alone" (James Madison, Federalist No. 52);  
7 and

8 WHEREAS, That dependency has evolved from a dependency on the  
9 people alone to a dependency on powerful special interests, through  
10 campaigns or third-party groups, that has created a fundamental  
11 imbalance in our representative democracy; and

12 WHEREAS, Americans across the political spectrum agree that  
13 elections in the United States should be free from the  
14 disproportional influence of special interests and fair enough that  
15 any citizen can be elected into office; and

16 WHEREAS, The Constitution of the State of Texas states: "All  
17 political power is inherent in the people, and all free governments  
18 are founded on their authority, and instituted for their benefit"  
19 and the people have the right at all times to reform their  
20 government "in such manner as they may think expedient" (Section 2,  
21 Article I); and

22 WHEREAS, Article V of the United States Constitution requires  
23 Congress to call a convention for proposing amendments to that  
24 constitution on the application of two-thirds of the legislatures

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1 of the several states; and

2 WHEREAS, The 85th Texas Legislature perceives the need for an  
3 amendments convention in order to restore balance and integrity to  
4 our elections by proposing an amendment to the federal constitution  
5 that will permanently protect free and fair elections in America,  
6 and desires that said convention be so limited; and

7 WHEREAS, The 85th Texas Legislature intends that this joint  
8 resolution be a continuing application considered together with  
9 applications calling for a convention on this subject, such as  
10 those approved by Vermont legislators (2014 Vermont, Joint  
11 Resolution Senate No. 27, 160 Congressional Record S4331,  
12 POM-284), by California legislators (2014 California, Assembly  
13 Joint Resolution No. 1, 160 Congressional Record S5507, POM-320),  
14 by Illinois legislators (2014 Illinois, Senate Joint Resolution  
15 No. 42), by New Jersey legislators (2015 New Jersey, Senate  
16 Concurrent Resolution No. 132), by Rhode Island legislators (2016  
17 Rhode Island, Senate Resolution No. 2589 and House Resolution  
18 No. 7670), and all other passed, pending, and future applications  
19 until such time as the legislatures of two-thirds of the several  
20 states have applied for a convention for a similar purpose and said  
21 convention is convened by Congress; now, therefore, be it

22 RESOLVED, That the State of Texas desires that the delegates  
23 to said convention be composed equally of individuals currently  
24 elected to state and local office, or be selected by election, in  
25 each congressional district in Texas, for the purpose of serving as  
26 Texas delegates, though all individuals elected or appointed to  
27 federal office now, or in the past, be prohibited from serving as

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1 Texas delegates to the convention and intends to retain the ability  
2 to restrict or expand the power of its delegates within the limits  
3 herein expressed; and, be it further

4           RESOLVED, That the people of the State of Texas speaking  
5 through their legislature, and pursuant to Article V of the United  
6 States Constitution, hereby apply to the United States Congress to  
7 call a convention for the exclusive and limited purpose of  
8 proposing an amendment to the Constitution of the United States  
9 that will restore free and fair elections as described herein as  
10 soon as two-thirds of the legislatures of the several states have  
11 applied for a convention for a similar purpose; and, be it further

12          RESOLVED, That the chief administrative officer of the Texas  
13 House of Representatives or Senate transmit copies of this  
14 resolution to the president of the United States, to the speaker of  
15 the House of Representatives of the United States, to the vice  
16 president of the United States in the vice president's capacity as  
17 the presiding officer of the Senate of the United States, to the  
18 minority leader of the United States House of Representatives, to  
19 the president pro tempore of the United States Senate, to all  
20 members of the Texas delegation to Congress, with the respectful  
21 request that the full and complete text of this resolution be  
22 printed in the Congressional Record, and to the presiding officers  
23 of each legislative body of each of the several states, requesting  
24 the cooperation of the states in issuing an application compelling  
25 Congress to call a convention for proposing amendments pursuant to  
26 Article V of the United States Constitution.