

As Introduced

**129th General Assembly
Regular Session
2011-2012**

H. C. R. No. 53

Representatives Goyal, Murray

**Cosponsors: Representatives Hagan, R., Ramos, Antonio, Foley, Garland,
Fedor, Celeste, Gerberry, Okey, Driehaus, Cera, Phillips**

CONCURRENT RESOLUTION

To memorialize the Congress of the United States to 1
propose an amendment to the United States 2
Constitution to overturn the decision in *Citizens* 3
United v. Federal Election Commission, 558 U.S. 50 4
(2010), and to specify that Congress and the 5
states have the power to regulate contributions 6
and expenditures made for the purpose of 7
influencing elections. 8

**BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE
OF OHIO (THE SENATE CONCURRING):**

WHEREAS, The protections afforded to the people by the First 9
Amendment to the United States Constitution are fundamental to our 10
democracy; and 11

WHEREAS, We the people adopted and ratified the United States 12
Constitution to protect the free speech rights and other rights of 13
people, not corporations; and 14

WHEREAS, Corporations are not people, who are protected by 15
the rights of citizenship, but instead are entities created by the 16
laws of states and nations; and 17

WHEREAS, In *Citizens United v. Federal Election Commission*, 18

558 U.S. 50 (2010), the United States Supreme Court overturned 19
longstanding precedent that upheld the regulation and prohibition 20
of political contributions and expenditures paid from the general 21
treasury funds of corporations; and 22

WHEREAS, Corporations have special advantages that natural 23
persons do not enjoy, such as limited liability, perpetual life, 24
and favorable treatment of the accumulation and distribution of 25
assets, as the four dissenting justices noted in *Citizens United* 26
v. Federal Election Commission; and 27

WHEREAS, *Citizens United v. Federal Election Commission* 28
exacerbated the influx in our political process of corporate money 29
in amounts unmatched by any campaign expenditure totals in United 30
States history; and 31

WHEREAS, In *Austin v. Michigan Chamber of Commerce*, 494 U.S. 32
652 (1990), the United States Supreme Court ruled that a 33
compelling state interest exists in preventing "the corrosive and 34
distorting effects of immense aggregations of wealth" accumulated 35
by corporations; and 36

WHEREAS, Since the founding of our country, our political 37
leaders have recognized that the interests of corporations do not 38
always correspond with the public interest and therefore that the 39
political influence of corporations should be limited; and 40

WHEREAS, *Citizens United v. Federal Election Commission* 41
purports to invalidate state laws and constitutional provisions 42
that separate corporate money from elections; and 43

WHEREAS, *Citizens United v. Federal Election Commission* and 44
the corresponding corporate influence over our electoral process 45
give rise to corruption, potential corruption, and the appearance 46
of corruption and therefore present a serious and direct threat to 47
our republican democracy; now therefore be it 48

RESOLVED, That we, the members of the 129th General Assembly 49

of the State of Ohio, urge the Congress of the United States to 50
propose an amendment to the United States Constitution to overturn 51
the decision in *Citizens United v. Federal Election Commission* in 52
order to allow for the regulation of pervasive corporate money, 53
speech, and influence in our electoral and political systems; to 54
specify that Congress has the power to regulate contributions and 55
expenditures made for the purpose of influencing the election of 56
candidates for federal office; and to specify that each state has 57
the power to regulate contributions and expenditures made for the 58
purpose of influencing the election of candidates for state or 59
local office and for the purpose of influencing an election 60
regarding any other issue put before the people of that state for 61
a vote; and be it further 62

RESOLVED, That the Clerk of the House of Representatives 63
transmit duly authenticated copies of this resolution to the 64
Speaker and Clerk of the United States House of Representatives, 65
the President Pro Tempore and the Secretary of the United States 66
Senate, the members of the Ohio Congressional delegation, the 67
Governor of the State of Ohio, and the news media of Ohio. 68