TESTIMONY OF ELLEN HORTON

House Government Oversight Committee

Opposition to HJR2 - March 10, 2026

Thank you for the opportunity to testify against HJR2. I intend to clarify that Article V of the United States Constitution clearly identifies Congress as the entity that controls all aspects of a Constitutional Convention. No states' role is identified in until ratification is addressed. Even that process belongs to Congress, as Article V makes clear that the "Mode of Ratification may be proposed by the Congress."

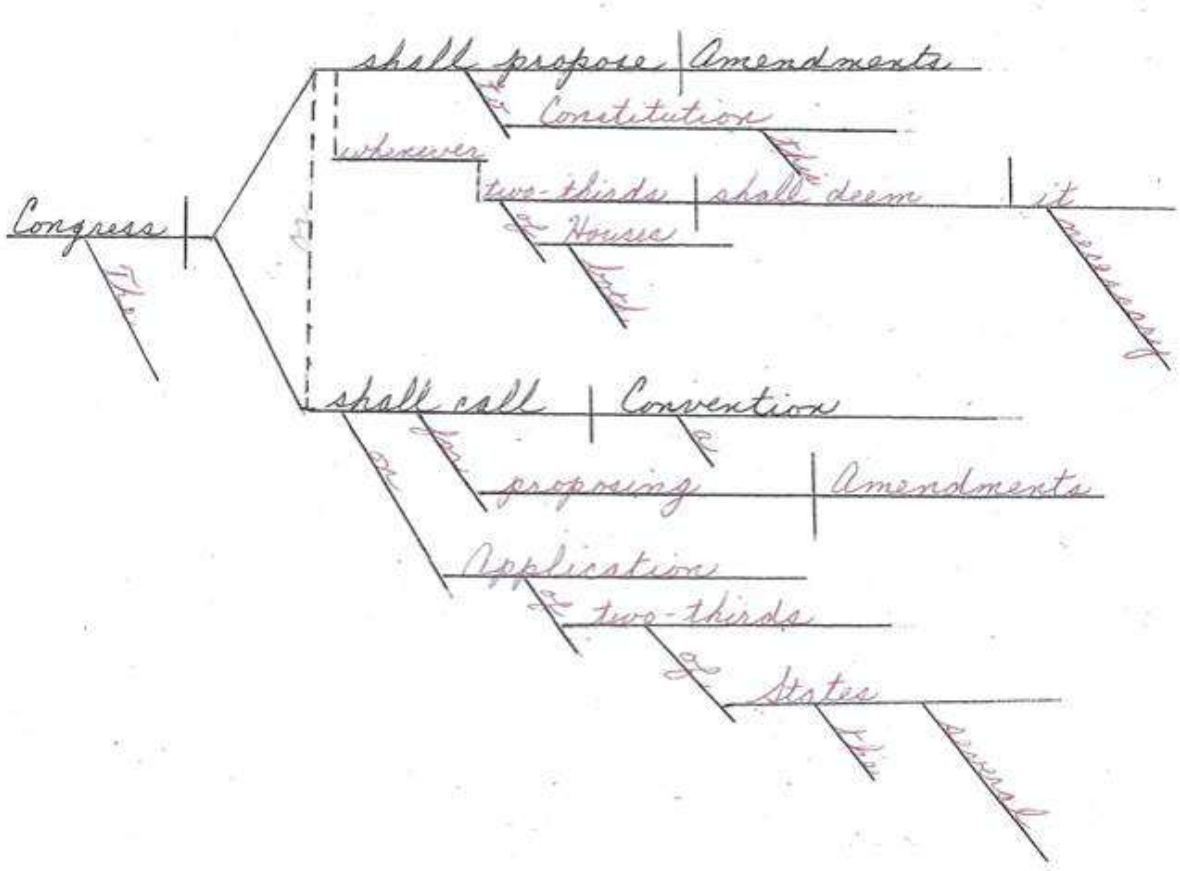
The Legal Services Commission of the Ohio General Assembly came to the same determination, acknowledging congressional control. The LSC recommended the congressional method of amending the Constitution because the role of the states in convention is not defined. The only pre-ratification state authority that is mentioned in Article V addresses the application process, not the amendment process itself.

In their analysis of HJR2, the LSC, Ohio GA's legal experts, submitted these comments:

- The General Assembly recommends that, when Congress determines how any proposed amendments are to be ratified, it chooses ratification by the state legislatures.
- To date, all formally proposed amendments to the U.S. Constitution have been proposed by a vote of Congress.
- A convention of the states has never been held under Article V.
- The U.S. Constitution does not specify how an Article V convention must be conducted or how its delegates are to be chosen.
- Further, the Constitution does not indicate whether the states that apply for a convention may limit the scope of amendments the convention is to propose.
- If Congress called a convention as a result of the resolution and others like it, and the convention proposed amendments outside the scope of the topics

listed in the resolution, it is not clear whether a reviewing court would find the proposed amendments valid.

The diagram of Article V shows a breakdown of the actual wording for the options for amending the Constitution. The upper portion of the diagram defines the congressional amendment method that has successfully been applied twenty-seven times. The lower portion is a study of the amendment process in convention. The breakdown clearly illustrates the fact that CONGRESS is in command in both processes.

Please vote NO on HJR2.

Thank you.