

## As Introduced

**134th General Assembly  
Regular Session  
2021-2022**

**S. J. R. No. 4**

**Senators Rulli, McColley**

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### **A JOINT RESOLUTION**

Application to the Congress of the United States for a 1  
Convention of the States under Article V of the 2  
Constitution of the United States that is limited to 3  
proposing limits to the authority of the federal 4  
government. 5

#### **BE IT RESOLVED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:**

WHEREAS, The Founders of the Constitution of the United 6  
States empowered State Legislators to be guardians of liberty 7  
against excessive use of power by the federal government; and 8

WHEREAS, The federal government has created a crushing 9  
national debt through improper and imprudent spending; and 10

WHEREAS, The federal government has ceased to operate 11  
under a proper interpretation of the Constitution of the United 12  
States; and 13

WHEREAS, The federal government has invaded the legitimate 14  
roles of the States through the manipulative process of federal 15  
mandates, most of which are unfunded to a great extent; and 16

WHEREAS, It is the solemn duty of the States to protect 17  
the liberty of our people, particularly for the generations to 18  
come, by proposing Amendments to the Constitution of the United 19

States through a Convention of the States under Article V to 20  
place clear restraints on these and related abuses of power; now 21  
therefore be it 22

RESOLVED, That the Ohio General Assembly hereby applies to 23  
the United States Congress, under the provisions of Article V of 24  
the Constitution of the United States, for the calling of a 25  
Convention of the States limited to proposing amendments that 26  
impose fiscal restraints on the federal government, limit the 27  
power and jurisdiction of the federal government, and limit the 28  
terms of office for its officials and Members of Congress of the 29  
United States; and be it further 30

RESOLVED, That this application constitutes a continuing 31  
application in accordance with Article V of the Constitution of 32  
the United States until the legislatures of at least two-thirds 33  
of the several States have made applications on the same 34  
subject; and be it further 35

RESOLVED, That the Ohio General Assembly adopts this 36  
resolution expressly subject to reservations, understandings, 37  
and declarations, including: 38

An application to the Congress of the United States to 39  
call a Convention of the States to propose amendments to the 40  
Constitution of the United States pursuant to Article V of the 41  
Constitution of the United States confers no power to the 42  
Congress other than the power to call such a Convention; 43

The power of the Congress of the United States to exercise 44  
this ministerial duty consists solely of the authority to name a 45  
reasonable time and place for the initial meeting of a 46  
Convention; 47

The Congress of the United States shall perform its 48

ministerial duty of calling a Convention of the States for 49  
proposing amendments only upon the receipt of applications for a 50  
Convention of the States for the substantially same purpose as 51  
this application from two-thirds of the legislatures of the 52  
several States; 53

The Congress of the United States does not have the power 54  
or authority to determine any rules for the governing of a 55  
Convention of the States for proposing amendments called 56  
pursuant to Article V of the Constitution of the United States; 57

The Congress of the United States does not have the power 58  
to set the number of delegates to be sent by any State to such a 59  
Convention, nor does it have the power to name delegates to such 60  
a Convention; 61

The power to name delegates remains exclusively within the 62  
authority of the legislatures of the several States; 63

By definition, a Convention of the States means that the 64  
States shall vote on the basis of one state, one vote; 65

A Convention of the States for proposing amendments to the 66  
Constitution of the United States convened pursuant to this 67  
application shall be limited to consideration of the topics 68  
specified herein and no other; 69

This application is made with the express understanding 70  
that an amendment that in any way seeks to amend, modify, or 71  
repeal any provision of the Bill of Rights shall not be 72  
authorized for consideration at any stage; 73

This application shall be void ab initio if ever used at 74  
any stage to consider any change to any provision of the Bill of 75  
Rights; 76

Pursuant to Article V of the Constitution of the United States, the Congress of the United States may determine whether proposed amendments shall be ratified by the legislatures of the several States or by special state ratification conventions;

The Ohio General Assembly recommends that the Congress of the United States select ratification by the legislatures of the several States;

The Ohio General Assembly may provide further instructions to its delegates and may recall its delegates at any time for a breach of a duty or a violation of the instructions provided; and be it further

RESOLVED, That the Clerk of the Ohio Senate is hereby directed to transmit duly authenticated copies of this application to the President and Secretary of the United States Senate and to the Speaker and Clerk of the United States House of Representatives, and to each member of the said Senate and House of Representatives from this State; also to transmit duly authenticated copies hereof to the presiding officers of each of the legislative houses in the several States, requesting their cooperation.