

As Introduced

**132nd General Assembly
Regular Session
2017-2018**

S. J. R. No. 1

Senator Huffman

Cosponsors: Senators Terhar, Coley, Hottinger

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 amendments that impose fiscal restraints on 4
the federal government, limit the power and 5
jurisdiction of the federal government, and limit the 6
terms of office for its officials and Members of 7
Congress. 8

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

WHEREAS, The Founders of the Constitution of the United 9
States empowered State Legislators to be guardians of liberty 10
against excessive use of power by the federal government; and 11

WHEREAS, The federal government has created a crushing 12
national debt through improper and imprudent spending; and 13

WHEREAS, The federal government has ceased to operate 14
under a proper interpretation of the Constitution of the United 15
States; and 16

WHEREAS, The federal government has invaded the legitimate 17
roles of the States through the manipulative process of federal 18
mandates, most of which are unfunded to a great extent; and 19

WHEREAS, It is the solemn duty of the States to protect 20
the liberty of our people, particularly for the generations to 21
come, by proposing Amendments to the Constitution of the United 22
States through a Convention of the States under Article V to 23
place clear restraints on these and related abuses of power; now 24
therefore be it 25

RESOLVED, The Ohio General Assembly hereby applies to 26
Congress, under the provisions of Article V of the Constitution 27
of the United States, for the calling of a Convention of the 28
States limited to proposing amendments that impose fiscal 29
restraints on the federal government, limit the power and 30
jurisdiction of the federal government, and limit the terms of 31
office for its officials and Members of Congress of the United 32
States; and be it further 33

RESOLVED, This application constitutes a continuing 34
application in accordance with Article V of the Constitution of 35
the United States until the legislatures of at least two-thirds 36
of the several States have made applications on the same 37
subject; and be it further 38

RESOLVED, The Ohio General Assembly adopts this resolution 39
expressly subject to reservations, understandings, and 40
declarations, as described in this resolution below; and be it 41
further 42

RESOLVED, An application to the Congress of the United 43
States to call a Convention of the States to propose amendments 44
to the Constitution of the United States pursuant to Article V 45
of the Constitution of the United States confers no power to the 46
Congress other than the power to call such a Convention; and be 47
it further 48

RESOLVED, The power of the Congress of the United States 49

to exercise this ministerial duty consists solely of the 50
authority to name a reasonable time and place for the initial 51
meeting of a Convention; and be it further 52

RESOLVED, The Congress of the United States shall perform 53
its ministerial duty of calling a Convention of the States for 54
proposing amendments only upon the receipt of applications for a 55
Convention of the States for the substantially same purpose as 56
this application from two-thirds of the legislatures of the 57
several States; and be it further 58

RESOLVED, The Congress of the United States does not have 59
the power or authority to determine any rules for the governing 60
of a Convention of the States for proposing amendments called 61
pursuant to Article V of the Constitution of the United States; 62
and be it further 63

RESOLVED, The Congress of the United States does not have 64
the power to set the number of delegates to be sent by any State 65
to such a Convention, nor does it have the power to name 66
delegates to such a Convention; and be it further 67

RESOLVED, The power to name delegates remains exclusively 68
within the authority of the legislatures of the several States; 69
and be it further 70

RESOLVED, By definition, a Convention of the States means 71
that the States shall vote on the basis of one state, one vote; 72
and be it further 73

RESOLVED, A Convention of the States for proposing 74
amendments to the Constitution of the United States convened 75
pursuant to this application shall be limited to consideration 76
of the topics specified herein and no other; and be it further 77

RESOLVED, This application is made with the express 78

understanding that an amendment that in any way seeks to amend, 79
modify, or repeal any provision of the Bill of Rights shall not 80
be authorized for consideration at any stage; and be it further 81

RESOLVED, This application shall be void ab initio if ever 82
used at any stage to consider any change to any provision of the 83
Bill of Rights; and be it further 84

RESOLVED, Pursuant to Article V of the Constitution of the 85
United States, the Congress of the United States may determine 86
whether proposed amendments shall be ratified by the 87
legislatures of the several States or by special state 88
ratification conventions; and be it further 89

RESOLVED, The Ohio General Assembly recommends that the 90
Congress of the United States select ratification by the 91
legislatures of the several States; and be it further 92

RESOLVED, The Ohio General Assembly may provide further 93
instructions to its delegates and may recall its delegates at 94
any time for a breach of a duty or a violation of the 95
instructions provided; and be it further 96

RESOLVED, The Clerk of the Ohio House of Representatives 97
is hereby directed to transmit duly authenticated copies of this 98
application to the President and Secretary of the United States 99
Senate and to the Speaker and Clerk of the United States House 100
of Representatives, and to each member of the said Senate and 101
House of Representatives from this State; also to transmit duly 102
authenticated copies hereof to the presiding officers of each of 103
the legislative houses in the several States, requesting their 104
cooperation. 105