

**As Introduced**

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

**H. J. R. No. 1**

**Representatives McClain, Riedel**

**Cosponsors: Representatives Hall, Seitz, Creech, Stein, Holmes, Patton, John,  
Young, T., Schmidt, Ginter, Lipps, Merrin, Bird, Kick, Manning**

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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 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, including: 41

An application to the Congress of the United States to 42  
call a Convention of the States to propose amendments to the 43  
Constitution of the United States pursuant to Article V of the 44  
Constitution of the United States confers no power to the 45  
Congress other than the power to call such a Convention; 46

The power of the Congress of the United States to exercise 47

this ministerial duty consists solely of the authority to name a 48  
reasonable time and place for the initial meeting of a 49  
Convention; 50

The Congress of the United States shall perform its 51  
ministerial duty of calling a Convention of the States for 52  
proposing amendments only upon the receipt of applications for a 53  
Convention of the States for the substantially same purpose as 54  
this application from two-thirds of the legislatures of the 55  
several States; 56

The Congress of the United States does not have the power 57  
or authority to determine any rules for the governing of a 58  
Convention of the States for proposing amendments called 59  
pursuant to Article V of the Constitution of the United States; 60

The Congress of the United States does not have the power 61  
to set the number of delegates to be sent by any State to such a 62  
Convention, nor does it have the power to name delegates to such 63  
a Convention; 64

The power to name delegates remains exclusively within the 65  
authority of the legislatures of the several States; 66

By definition, a Convention of the States means that the 67  
States shall vote on the basis of one state, one vote; 68

A Convention of the States for proposing amendments to the 69  
Constitution of the United States convened pursuant to this 70  
application shall be limited to consideration of the topics 71  
specified herein and no other; 72

This application is made with the express understanding 73  
that an amendment that in any way seeks to amend, modify, or 74  
repeal any provision of the Bill of Rights shall not be 75  
authorized for consideration at any stage; 76

This application shall be void ab initio if ever used at 77  
any stage to consider any change to any provision of the Bill of 78  
Rights; 79

Pursuant to Article V of the Constitution of the United 80  
States, the Congress of the United States may determine whether 81  
proposed amendments shall be ratified by the legislatures of the 82  
several States or by special state ratification conventions; 83

The Ohio General Assembly recommends that the Congress of 84  
the United States select ratification by the legislatures of the 85  
several States; 86

The Ohio General Assembly may provide further instructions 87  
to its delegates and may recall its delegates at any time for a 88  
breach of a duty or a violation of the instructions provided; 89  
and be it further 90

RESOLVED, The Clerk of the Ohio House of Representatives 91  
is hereby directed to transmit duly authenticated copies of this 92  
application to the President and Secretary of the United States 93  
Senate and to the Speaker and Clerk of the United States House 94  
of Representatives, and to each member of the said Senate and 95  
House of Representatives from this State; also to transmit duly 96  
authenticated copies hereof to the presiding officers of each of 97  
the legislative houses in the several States, requesting their 98  
cooperation. 99