

Department of Legislative Services
Maryland General Assembly
2015 Session

FISCAL AND POLICY NOTE

Senate Joint Resolution 2 (Senator Pinsky, *et al.*)
Education, Health, and Environmental Affairs

United States Constitution - Amendments Convention - Democracy Amendment

This joint resolution applies to the U.S. Congress for an amendments convention to be called, pursuant to Article V of the U.S. Constitution, as soon as two-thirds of the states have applied for a convention, for the purpose of proposing an amendment to the U.S. Constitution to affirm every citizen's freedom to vote and restore free and fair elections in America. Delegates to the convention from Maryland may not propose amendments that do not have the primary goals of addressing the goals listed in the joint resolution. The application constitutes a continuing application until at least two-thirds of the legislatures of the several states have made application for an equivalently limited amendments convention. The resolution must be sent to the presiding officers of both Houses of the legislature of each of the states with the request that it be circulated among legislative branch leaders and that each of the states join in requesting the U.S. Congress to call a constitutional convention to initiate a proposal to amend the U.S. Constitution as described in the joint resolution.

Fiscal Summary

State Effect: The joint resolution does not directly affect State finances.

Local Effect: None.

Small Business Effect: None.

Analysis

Background: Article V of the U.S. Constitution states that Congress may propose amendments to the Constitution with votes of two-thirds of both Houses. States can also

apply to Congress to call a convention for proposing amendments, upon application of two-thirds of the states. Amendments in either case must be ratified by the legislatures of three-fourths of the states or by conventions in three-fourths of the states “as the one or the other mode of ratification may be proposed by the Congress.”

All amendments to the Constitution to date have been as a result of amendments being proposed by Congress rather than a convention upon application by the states.

Additional Information

Prior Introductions: SJ 6 of 2014 passed second reading with amendments in the Senate, but no further action was taken. HJ 7 of 2014 received a hearing in the House Rules and Executive Nominations Committee, but no further action was taken.

Cross File: HJ 2 (Delegate Hixson, *et al.*) - Rules and Executive Nominations.

Information Source(s): U.S. Senate, Department of Legislative Services

Fiscal Note History: First Reader - February 24, 2015
min/hlb

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