

House Concurrent Resolution No. 40

98TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE MORRIS.

2188H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

Relating to amending the United States Constitution.

2 **WHEREAS**, the Founders of our Constitution empowered state legislators to be
3 guardians of liberty against future abuses of power by the federal government; and

4 **WHEREAS**, the federal government has invaded the legitimate roles of the states
5 through the manipulative process of federal mandates; and

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7 **WHEREAS**, it is the solemn duty of the states to protect the liberty of our people to
8 propose amendments to the United States Constitution through a convention of states under
9 Article V to place clear restraints on these and related abuses of power:

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11 **NOW THEREFORE BE IT RESOLVED** that the members of the House of
12 Representatives of the Ninety-eighth General Assembly, First Regular Session, the Senate
13 concurring therein, hereby apply to Congress, under the provisions of Article V of the United
14 States Constitution, for the calling of a convention of the states limited to proposing amendments
15 to the United States Constitution that impose term limits on the election or appointment to the
16 United States House of Representatives and Senate. This convention shall be for the sole
17 consideration and approval for state ratification of the following amendment to the United States
18 Constitution:

19 “Section 1. No person who has served six terms as a Representative shall be eligible for
20 election or appointment to the House of Representatives. For purposes of this section, the
21 election or appointment of a person to fill a vacancy in the House of Representatives shall be
22 included as one term in determining the number of terms that such person has served as a
23 Representative if the person fills the vacancy for more than one year.

24 Section 2. No person who has served two terms as a Senator shall be eligible for election
25 or appointment to the Senate. For purposes of this section, the election or appointment of a
26 person to fill a vacancy in the Senate shall be included as one term in determining the number
27 of terms that such person has served as a Senator if the person fills the vacancy for more than
28 three years.

29 Section 3. No term beginning before the date of the ratification of this article shall be
30 taken into account in determining eligibility for election or appointment under this article.

31 Section 4. This article shall be inoperative unless it shall have been ratified as an
32 amendment to the Constitution of three-fourths of the several states within seven years from the
33 date of its submission to the States by the Congress.”; and

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35 **BE IT FURTHER RESOLVED** that the members of the House of Representatives of
36 the Ninety-eighth General Assembly, First Regular Session, the Senate concurring therein,
37 hereby urge the Missouri Congressional delegation to vote in the affirmative in support of a
38 constitutional amendment proposed in accordance to this or a similar resolution; and

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40 **BE IT FURTHER RESOLVED** that this application constitutes a continuing
41 application in accordance with Article V of the United States Constitution until the legislatures
42 of at least two-thirds of the several states have made applications on the same subject; and

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44 **BE IT FURTHER RESOLVED** that the Chief Clerk of the Missouri House of
45 Representatives be instructed to prepare a properly inscribed copy of this resolution for the
46 President and Secretary of the United States Senate, the Speaker and Clerk of the United States
47 House of Representatives, each member of the Missouri Congressional delegation, and the
48 presiding officers of each of the legislative houses in the several states requesting their
49 cooperation.

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