



2024 South Dakota Legislature

Senate Joint Resolution 509

Introduced by: **Senator Pischke**

1 **A JOINT RESOLUTION, Applying to the United States Congress under Article V of the**
2 **United States Constitution to call for a convention for proposing an**
3 **amendment to the constitution establishing congressional term limits.**

4 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

5 **Section 1.** WHEREAS, the framers of the Constitution empowered state legislators to be
6 guardians of liberty against future abuses of power by the federal government; and

7 **Section 2.** WHEREAS, the framers of the Constitution envisioned a part-time federal
8 legislature comprised of citizen legislators who would retain and return to some other
9 profession when not occupied by the business of the people; and

10 **Section 3.** WHEREAS, the United States Supreme Court ruled in *U.S Term Limits, Inc. v.*
11 *Thornton* that the individual states cannot impose additional qualifications for prospective
12 members of Congress that are not specified in the United States Constitution; and

13 **Section 4.** WHEREAS, it is the solemn duty of the states to protect the liberty of the people
14 by proposing amendments to the United States Constitution through a convention of states
15 authorized by Article V of the United States Constitution;

16 **Section 5.** NOW, THEREFORE, BE IT RESOLVED, by the House of Representatives of the
17 Ninety-Ninth Legislature of the State of South Dakota, the Senate concurring therein, that
18 the South Dakota Legislature hereby makes an application to the Congress of the United
19 States, as provided by Article V of the United States Constitution, to call a convention solely
20 for the purpose of proposing an amendment to the United States Constitution to establish a
21 limit on the number of terms to which an individual may be elected to serve as a member of
22 the United States House of Representatives and to establish a limit to the number of terms
23 to which an individual may be elected to serve as a member of the United States Senate; and

1 **Section 6.** BE IT FURTHER RESOLVED, that the secretary of state is hereby to transmit copies
2 of this application to the President and Secretary of the United States Senate; to the Speaker
3 and Clerk of the United States House of Representatives; and to the Chairman of the Judiciary
4 Committee of the United States House of Representatives. The secretary of state is directed
5 to transmit copies of this application to the presiding officers of each of the legislative houses
6 in the several states, requesting their cooperation; and

7 **Section 7.** BE IT FURTHER RESOLVED, that this application constitutes a continuing
8 application in accordance with Article V of the United States Constitution until the legislatures
9 of two-thirds of the several states have made applications to Congress to call a convention to
10 establish a limit to the number of terms to which an individual may be elected to as a member
11 of the United States House of Representatives and as a member of the United States Senate.
12 This application must be aggregated with the applications of the other states for the purpose
13 of attaining the applications from the Legislatures of two-thirds of the several states necessary
14 to require Congress to call a convention solely for the purpose of establishing term limits for
15 members of the United States House or Representatives and the United States Senate. This
16 application may not be aggregated with any other applications that seek a convention to
17 address any other issue.