

## 2012 SESSION

LEGISLATION NOT PREPARED BY DLS  
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### HOUSE JOINT RESOLUTION NO. 102

Offered January 11, 2012

Prefiled January 10, 2012

*Making application to the Congress of the United States to call an amendment convention pursuant to Article V of the United States Constitution for the purpose of proposing a constitutional amendment that limits terms of service in the Congress.*

Patron—LeMunyon

Referred to Committee on Privileges and Elections

WHEREAS, the United States Supreme Court ruled in 1995, in U.S. Term Limits, Inc. v. Thornton, that it is unconstitutional for a state to limit service in the United States Congress; and

WHEREAS, the Court ruled further that imposition of term limits on the Congress requires an amendment to the United States Constitution passed under the procedures set forth in Article V of that Constitution; and

WHEREAS, there is a need to encourage public service and broader participation in the political process; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the Commonwealth of Virginia hereby applies to the Congress of the United States to call an amendment convention pursuant to Article V of the United States Constitution for the purpose of proposing a constitutional amendment that limits terms of service in the Congress; and, be it

RESOLVED FURTHER, That the Virginia Delegation to such convention, when called, shall propose the following amendment:

"SECTION 1. No person who has been elected for a full term to the Senate three times shall be eligible for election or appointment to the Senate. No person who has been elected for a full term to the House of Representatives nine times shall be eligible for election to the House of Representatives.

"SECTION 2. No person who has served as a Senator for more than three years of a term to which some other person was elected shall subsequently be eligible for election to the Senate more than twice. No person who has served as a Representative for more than one year shall subsequently be eligible for election to the House of Representatives more than eight times.

"SECTION 3. No election or service occurring before this article becomes operative shall be taken into account when determining eligibility for election under this article."; and, be it

RESOLVED FINALLY, That the Clerk of the House of Delegates transmit copies of this resolution to the Speaker of the United States House of Representatives, the President of the United States Senate, and the members of the Virginia Congressional Delegation, and the legislatures of the several states so that they may be apprised of the sense of the General Assembly of Virginia in this matter.

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