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## HOUSE JOINT RESOLUTION NO. 685

Offered January 9, 2019

Prefiled January 9, 2019

*Applying to the Congress of the United States to call an amendment convention pursuant to Article V of the United States Constitution limited to proposing amendments to the United States Constitution that impose fiscal restraints on the federal government, limit the power and jurisdiction of the federal government, and limit the terms of office for its officials and for members of Congress.*

Patrons—Peace (By Request), Fowler, Cole, Fariss, LaRock, Pogge, Rush and Ware; Senator: Stuart

Referred to Committee on Rules

WHEREAS, the federal government has created a crushing national debt and conducted improper and imprudent spending while ceasing to operate under a proper interpretation of the United States Constitution and invading the legitimate roles of the states through the manipulative process of federal mandates; and

WHEREAS, it is the solemn duty of the states to protect the liberty of people, particularly the generations to come, by proposing amendments to the United States Constitution through a convention of the states under Article V for the purpose of restraining these and related federal abuses of power; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the Commonwealth of Virginia hereby make application to the Congress of the United States to call an amendment convention of the states pursuant to Article V of the United States Constitution limited to proposing amendments to the United States Constitution that impose fiscal restraints on the federal government, limit the power and jurisdiction of the federal government, and limit the terms of office for its officials and for members of Congress; and, be it

RESOLVED FURTHER, That this application be subject to the following reservations, understandings, and declarations:

1. The application to the Congress of the United States to call an amendment convention of the states pursuant to Article V of the United States Constitution confers no power to Congress other than the power to call such a convention;

2. Congress does not have the power or authority to determine any rules for the governing of an amendment convention of the states called pursuant to Article V of the United States Constitution. Congress does not have the power to set the number of delegates to be sent by any state to such a convention, nor does it have the power to name delegates to such a convention. The power to name delegates remains exclusively within the authority of the legislatures of the several states;

3. The vote at an amendment convention of the states must be on the basis of one state, one vote;

4. An amendment convention of the states convened pursuant to this application is limited to consideration of the topics specified herein and no other. This application is made with the express understanding that an amendment that in any way seeks to amend, modify, or repeal any provision of the Bill of Rights is not authorized for consideration at any stage. This application is void ab initio if ever used at any stage to consider any change to any provision of the Bill of Rights; and

5. The General Assembly of the Commonwealth of Virginia may provide further instructions to its delegates and may recall its delegates at any time for a breach of a duty or a violation of the instructions provided; and, be it

RESOLVED FINALLY, That the Clerk of the House of Delegates transmit copies of this resolution to the President of the United States, the Speaker and the Clerk of the United States House of Representatives, the President and the Clerk of the United States Senate, the members of the Virginia Congressional Delegation, and the legislatures of each of the several states, attesting the adoption of this resolution by the Virginia General Assembly.

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