

By: Senator(s) Hill, Blackwell, McDaniel, Massey, Whaley, Caughman, Wiggins, Harkins, Fillingane, Clarke, Dearing, McMahan, Seymour, Parker, Doty, Moran, Younger, Carter, Jackson (15th), Parks, Michel, Hudson, Branning

To: Rules

SENATE CONCURRENT RESOLUTION NO. 596

1 A CONCURRENT RESOLUTION APPLYING TO THE CONGRESS OF THE
2 UNITED STATES TO CALL AN AMENDMENT CONVENTION OF THE STATES
3 PURSUANT TO ARTICLE V OF THE UNITED STATES CONSTITUTION.

4 WHEREAS, the Founders of the United States Constitution
5 empowered state legislators to be guardians of liberty against
6 excessive use of power by the federal government; and

7 WHEREAS, the federal government has created a crushing
8 national debt through improper and imprudent spending; and

9 WHEREAS, the federal government has ceased to operate under a
10 proper interpretation of the United States Constitution; and

11 WHEREAS, the federal government has invaded the legitimate
12 roles of the states through the manipulative process of federal
13 mandates, most of which are unfunded to a great extent; and

14 WHEREAS, it is the solemn duty of the states to protect the
15 liberty of our people, particularly for the generations to come,
16 by proposing amendments to the United States Constitution through
17 a Convention of the States under Article V for the purpose of
18 restraining these and related abuses of power; NOW, THEREFORE,



19 BE IT RESOLVED BY THE SENATE OF THE STATE OF MISSISSIPPI, THE
20 HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

21 **SECTION 1.** That pursuant to Article V of the Constitution of
22 the United States, the Legislature of the State of Mississippi
23 joins in the applications of the States of Georgia (SR 736, 2014),
24 Florida (SM 476, 2014), Alaska (HJR 22, 2014), Alabama (HJR 112,
25 2015), Tennessee (SJR 67, 2016), Indiana (SJR 14, 2016), Oklahoma
26 (SJR 4, 2016), Louisiana (SCR 52, 2016), Texas (SJR 2, 2017),
27 Missouri (SCR 4, 2017), North Dakota (HCR 3006, 2017), Arizona
28 (HCR 2010, 2017), and Arkansas (SJR 3, 2019) to call a Convention
29 for the specific and exclusive purpose of proposing amendments to
30 the Constitution of the United States limited to the purposes
31 stated in those applications; provided, however, that the
32 commissioners from Mississippi to the Convention are expressly
33 limited to consideration and support of amendments that impose
34 fiscal restraints on the federal government, and amendments that
35 limit the power and jurisdiction of the federal government, and no
36 amendments on any other topic whatsoever. The Mississippi
37 delegates are hereby instructed not to support term limits for
38 members of Congress.

39 **SECTION 2.** It is the express intention of the Mississippi
40 Legislature that this application is to be aggregated with the
41 applications of the above-mentioned states and with subsequent
42 applications of other states limited to the purposes identified in



43 this application and in those applications of the above-mentioned
44 states.

45 **SECTION 3.** The Legislature of Mississippi adopts this
46 application expressly subject to the following reservations,
47 understandings and declarations:

48 (a) An application to the Congress of the United States
49 to call an Amendment Convention of the States pursuant to Article
50 V of the United States Constitution confers no power to Congress
51 other than the power to call such a Convention. The power of
52 Congress to exercise this ministerial duty consists solely of the
53 authority to name a reasonable time and place for the initial
54 meeting of a Convention;

55 (b) Congress shall perform its ministerial duty of
56 calling an Amendment Convention of the States only upon the
57 receipt of applications for an Amendment Convention for the
58 substantially same purpose as this application from two-thirds of
59 the legislatures of the several states;

60 (c) Congress does not have the power or authority to
61 determine any rules for the governing of a Convention for
62 proposing amendments called pursuant to Article V of the United
63 States Constitution. Congress does not have the power to set the
64 number of delegates to be sent by any state to such a Convention,
65 nor does it have the power to name delegates to such a Convention.
66 The power to name delegates remains exclusively within the
67 authority of the legislatures of the several states;



68 (d) By definition, an Amendment Convention of the
69 States means that states shall vote on the basis of one state, one
70 vote;

71 (e) A Convention for proposing amendments convened
72 pursuant to this application shall be limited to consideration of
73 the topics specified herein and no other. This application is
74 made with the express understanding that an amendment that in any
75 way seeks to amend, modify or repeal any provision of the Bill of
76 Rights shall not be authorized for consideration at any stage.
77 This application shall be void if ever used at any stage to
78 consider any change to any provision of the Bill of Rights;

79 (f) Pursuant to Article V of the United States
80 Constitution, Congress may determine whether proposed amendments
81 shall be ratified by the legislatures of the several states or by
82 special state ratification conventions. The Legislature of
83 Mississippi recommends that Congress select ratification by the
84 legislatures of the several states; and

85 (g) The Legislature of Mississippi may provide further
86 instructions to its delegates and may recall its delegates at any
87 time for a breach of a duty or a violation of the instructions
88 provided.

89 **SECTION 4.** The Secretary of State is hereby directed
90 to transmit copies of this application to the President and
91 Secretary of the United States Senate and to the Speaker and
92 Clerk of the United States House of Representatives, and



93 copies to the members of the said Senate and House of
94 Representatives from this state; also to transmit copies hereof to
95 the presiding officers of each of the legislative houses in the
96 several states, requesting their cooperation.

97 **SECTION 5.** This application constitutes a continuing
98 application in accordance with Article V of the Constitution of
99 the United States until the legislatures of at least two-thirds of
100 the several states have made applications on the same subject, or
101 until the Mississippi Legislature acts to withdraw this
102 application.

