

Second Regular Session
Seventieth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. R16-1223.01 Cara Meeker x2044

SJR16-040

SENATE SPONSORSHIP

Lundberg,

HOUSE SPONSORSHIP

Singer,

Senate Committees

State, Veterans, & Military Affairs

House Committees

SENATE JOINT RESOLUTION 16-040

101 **CONCERNING AN APPLICATION TO THE UNITED STATES CONGRESS TO**
102 **CALL A CONVENTION UNDER ARTICLE V OF THE CONSTITUTION**
103 **OF THE UNITED STATES WITH THE SOLE AGENDA OF PROPOSING**
104 **AN AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES**
105 **TO SET A LIMIT ON THE NUMBER OF TERMS THAT A PERSON MAY**
106 **BE ELECTED AS A MEMBER OF THE UNITED STATES HOUSE OF**
107 **REPRESENTATIVES AND TO SET A LIMIT ON THE NUMBER OF**
108 **TERMS THAT A PERSON MAY BE ELECTED AS A MEMBER OF THE**
109 **UNITED STATES SENATE.**

1 WHEREAS, Article V of the United States Constitution requires
2 the United States Congress to call an amendment-proposing convention
3 upon application of two-thirds of the legislatures of the several states for

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

1 the purpose of proposing amendments to the United States Constitution;
2 and

3 WHEREAS, A continuous and growing concern has been
4 expressed that the best interests of the nation will be served by limiting
5 the terms of members of Congress; and

6 WHEREAS, The voters of Colorado, through the citizen initiative
7 process, placed on the general election ballot of 1990 a measure to limit
8 the consecutive years of service for several offices, including the offices
9 of United States Representative and United States Senator; and

10 WHEREAS, The voters of Colorado incorporated this limitation
11 into the State Constitution by an approval vote that exceeded 70 percent
12 in the general election of 1990; and

13 WHEREAS, In 1995, the United States Supreme Court ruled in
14 *U.S. Term Limits, Inc. v. Thornton*, 514 U.S. 779 (1995), a five-to-four
15 decision, that the individual states did not possess the requisite authority
16 to establish term limits, or additional qualifications, for persons elected
17 to the United States House of Representatives or the United States Senate;
18 and

19 WHEREAS, It is the solemn duty of the states to protect the liberty
20 of our people, particularly for generations to come, by proposing
21 amendments to the Constitution of the United States through a convention
22 of the states under Article V for the purpose of restraining these and
23 related abuses of power; now, therefore,

24 *Be It Resolved by the Senate of the Seventieth General Assembly*
25 *of the State of Colorado, the House of Representatives concurring herein:*

26 (1) The Colorado General Assembly hereby makes an application
27 to Congress, as provided by Article V of the Constitution of the United
28 States of America, to call a convention limited to proposing an
29 amendment to the Constitution of the United States of America to set a
30 limit on the number of terms that a person may be elected as a member of
31 the United States House of Representatives and to set a limit on the
32 number of terms that a person may be elected as a member of the United
33 States Senate.

34 (2) This application shall be considered as covering the same

1 subject matter as the applications from other States to Congress to call a
2 convention to set a limit on the number of terms that a person may be
3 elected to the House of Representatives of the Congress of the United
4 States and the Senate of the United States; and this application shall be
5 aggregated with the same for the purpose of attaining the two-thirds of
6 states necessary to require Congress to call a limited convention on this
7 subject, but shall not be aggregated with any other applications on any
8 other subject.

9 (3) This application constitutes a continuing application in
10 accordance with Article V of the Constitution of the United States of
11 America until the legislatures of at least two-thirds of the several states
12 have made applications on the same subject.

13 *Be It Further Resolved*, That copies of this Joint Resolution be sent
14 to the President and Secretary of the United States Senate; the Speaker
15 and Clerk of the United States House of Representatives; each member
16 of Colorado's congressional delegation; and to the officers of each of the
17 legislative houses in the several states, requesting their cooperation.