

## Assembly Joint Resolution No. 1

### RESOLUTION CHAPTER 77

Assembly Joint Resolution No. 1—Relative to a federal constitutional convention.

[Filed with Secretary of State June 27, 2014.]

#### LEGISLATIVE COUNSEL'S DIGEST

AJR 1, Gatto. Federal constitutional convention: application.

This measure would constitute an application to the United States Congress to call a constitutional convention pursuant to Article V of the United States Constitution for the sole purpose of proposing an amendment to the United States Constitution that would limit corporate personhood for purposes of campaign finance and political speech and would further declare that money does not constitute speech and may be legislatively limited.

This measure would state that it constitutes a continuing application to call a constitutional convention until at least  $\frac{2}{3}$  of the state legislatures apply to the United States Congress to call a constitutional convention for that sole purpose. This measure would also state that it is an application for a limited constitutional convention and does not grant Congress the authority to call a constitutional convention for any purpose other than for the sole purpose set forth in this measure.

WHEREAS, Corporations are legal entities that governments create and the rights that they enjoy under the United States Constitution should be more narrowly defined than the rights afforded to natural persons; and

WHEREAS, Corporations do not vote in elections and should not be categorized as persons for purposes related to elections for public office and ballot measures; and

WHEREAS, The United States Supreme Court, in *Citizens United v. Federal Election Commission* (2010) 130 S.Ct. 876, held that the government may not, under the First Amendment to the United States Constitution, suppress political speech on the basis of the speaker's corporate identity; and

WHEREAS, Article V of the United States Constitution requires the United States Congress to call a constitutional convention upon application of two-thirds of the legislatures of the several states for the purpose of proposing amendments to the United States Constitution; now, therefore, be it

*Resolved by the Assembly and the Senate of the State of California, jointly,* That the Legislature of the State of California, speaking on behalf of the people of the State of California, hereby applies to the United States Congress to call a constitutional convention pursuant to Article V of the

United States Constitution for the sole purpose of proposing an amendment to the United States Constitution that would limit corporate personhood for purposes of campaign finance and political speech and would further declare that money does not constitute speech and may be legislatively limited; and be it further

*Resolved*, That this constitutes a continuing application to call a constitutional convention pursuant to Article V of the United States Constitution until at least two-thirds of the legislatures of the several states apply to the United States Congress to call a constitutional convention for the sole purpose of proposing an amendment to the United States Constitution that would limit corporate personhood for purposes of campaign finance and political speech and would further declare that money does not constitute speech and may be legislatively limited; and be it further

*Resolved*, That this application is for a limited constitutional convention and does not grant Congress the authority to call a constitutional convention for any purpose other than for the sole purpose set forth in this resolution; and be it further

*Resolved*, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, the Speaker of the House of Representatives, the Minority Leader of the House of Representatives, the Majority Leader of the United States Senate, the Minority Leader of the United States Senate, and to each Senator and Representative from California in the Congress of the United States.