

AMENDED IN ASSEMBLY APRIL 11, 2012

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

Assembly Joint Resolution

No. 32

Introduced by Assembly Members Allen, Gatto, and Wieckowski

March 20, 2012

Assembly Joint Resolution No. 32—Relative to a federal constitutional convention.

LEGISLATIVE COUNSEL’S DIGEST

AJR 32, as amended, Allen. 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 democratically 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.

Fiscal committee: no.

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

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

6 *Resolved by the Assembly and the Senate of the State of*
7 *California, jointly,* That the Legislature of the State of California
8 hereby applies to the United States Congress to call a constitutional
9 convention pursuant to Article V of the United States Constitution
10 for the sole purpose of proposing an amendment to the United
11 States Constitution that would limit corporate personhood ~~for~~
12 ~~purposes of campaign finance and political speech~~ and would
13 further declare that money does not constitute speech and may be
14 democratically limited; and be it further

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

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