

Committee on Judiciary

CS/HB 609 — Article V Constitutional Conventions

by Civil Justice Subcommittee; and Rep. Wood and others (CS/SB 1008 by Appropriations Committee; and Senator Stargel)

The bill creates the “Article V Constitutional Convention Act” and establishes a framework for selecting and authorizing delegates to attend an Article V convention for the purpose of proposing amendments to the United States Constitution.

The bill provides that:

- Delegates and alternate delegates will be appointed by the Senate and House of Representatives pursuant to joint rules adopted by both chambers;
- Delegates must execute a written oath stating that the delegate will support the U.S. Constitution and the State Constitution and abide by any instructions adopted by the Legislature;
- The Legislature must adopt a concurrent resolution once delegates are appointed and provide instructions to the delegates regarding the rules of procedure and relevant matters relating to the Article V convention;
- A delegate who votes outside the scope of the instructions established by a concurrent resolution is subject to criminal penalties, forfeits his or her appointment, and the vote is void; and
- An advisory group shall be appointed to advise the delegates on whether certain actions would violate the instructions established by a concurrent resolution. The advisory group consists of an attorney appointed by the President of the Senate, an attorney appointed by the Speaker of the House of Representatives, and an attorney selected by agreement of the appointed attorneys, who will serve as chair of the advisory group. The group will meet at the call of the chair and establish policies and procedures that the group deems necessary to carry out the provisions of this bill.

If approved by the Governor, these provisions take effect July 1, 2014.

Vote: Senate 21-15; House 73-42