

By Senator Ingoglia

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Senate Concurrent Resolution

A concurrent resolution applying to the Congress of the United States to call a convention for the sole purpose of proposing amendments to the Constitution of the United States to set a limit on the number of terms to which a person may be elected as a member of the United States House of Representatives and to set a limit on the number of terms to which a person may be elected as a member of the United States Senate.

WHEREAS, a continuous and growing concern has been expressed that the best interests of the nation will be served by limiting the terms of members of Congress, and

WHEREAS, the voters of the State of Florida, after the gathering of petition signatures, placed a measure on the general election ballot of 1992 to limit the consecutive years of service for several offices, including the offices of United States Representative and United States Senator, and

WHEREAS, the voters of Florida incorporated this limitation into the State Constitution as Section 4 of Article VI, by an approval vote that exceeded 76 percent in the general election of 1992, and

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

WHEREAS, on February 10, 2016, the Legislature of the State

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30 of Florida passed House Memorial 417, which applied to Congress
31 to call a convention for the purpose of proposing amendments to
32 the Constitution of the United States to set a limit on the
33 number of terms to which a person may be elected as a member of
34 the United States House of Representatives and to set a limit on
35 the number of terms to which a person may be elected as a member
36 of the United States Senate, and

37 WHEREAS, the Legislature of the State of Florida intends to
38 conform its application to the active applications made to
39 Congress by the States of Alabama, Missouri, and Wisconsin
40 calling for an Article V convention to propose amendments to set
41 a limit on the number of terms to which a person may be elected
42 as a member of the United States House of Representatives and to
43 set a limit on the number of terms to which a person may be
44 elected as a member of the United States Senate, NOW, THEREFORE,
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46 Be It Resolved by the Senate of the State of Florida, the House
47 of Representatives Concurring:

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49 (1) That the Legislature of the State of Florida applies to
50 Congress, under Article V of the Constitution of the United
51 States, to call a convention for the sole purpose of proposing
52 amendments to the Constitution of the United States to set a
53 limit on the number of terms to which a person may be elected as
54 a member of the United States House of Representatives and to
55 set a limit on the number of terms to which a person may be
56 elected as a member of the United States Senate.

57 (2) That this application is to be considered as covering
58 the same subject matter as the presently outstanding

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59 applications from other states to set a limit on the number of
60 terms to which a person may be elected as a member of the United
61 States House of Representatives and to set a limit on the number
62 of terms to which a person may be elected as a member of the
63 United States Senate and is to be aggregated with the
64 applications from those states for the purpose of attaining the
65 two-thirds number of states necessary to require the calling of
66 a convention, but may not be aggregated with applications on any
67 other subject calling for a constitutional convention under
68 Article V of the Constitution of the United States.

69 (3) That this application constitutes a continuing
70 application in accordance with Article V of the Constitution of
71 the United States until the legislatures of at least two-thirds
72 of the states have made applications on the same subject.

73 BE IT FURTHER RESOLVED that this concurrent resolution is
74 revoked and withdrawn, nullified, and superseded to the same
75 effect as if it had never been passed, and retroactive to the
76 date of passage, if it is used for the purpose of calling a
77 convention or used in support of conducting a convention to
78 amend the Constitution of the United States with any agenda
79 other than to propose amendments to the Constitution to set a
80 limit on the number of terms to which a person may be elected as
81 a member of the United States House of Representatives and to
82 set a limit on the number of terms to which a person may be
83 elected as a member of the United States Senate.

84 BE IT FURTHER RESOLVED that copies of this application be
85 dispatched to the President of the United States, to the
86 President of the United States Senate, to the Speaker of the
87 United States House of Representatives, to each member of the

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88 Florida delegation to the United States Congress, and to the
89 presiding officer of each house of the legislature of each
90 state.