

ENROLLED

HCR 7055

2024 Legislature

House Concurrent Resolution

A concurrent resolution applying to the Congress of the United States to call a convention for the sole purpose of proposing an amendment to the Constitution of the United States stating that the United States Congress shall make no law applying to the citizens of the United States that does not also equally apply to all United States Representatives, United States Senators, and all members of the federal legislative branch.

WHEREAS, one of the fundamental underpinnings of a democracy is the rule of law; and

WHEREAS, in order for the rule of law to be respected and adhered to by the citizenry, it must be applied fairly and in an equal manner; and

WHEREAS, Section One of the Fourteenth Amendment to the United States Constitution reads in part "...nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws."; and

WHEREAS, the United States Supreme Court has held that the Due Process Clause of the Fifth Amendment to the United States Constitution requires equal protection under the laws of the federal government; and

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26 WHEREAS, in spite of the Equal Protection Clause and the
 27 Due Process Clause within the Constitution, over time the
 28 United States Congress has chosen on a number of occasions to
 29 exempt its members and the federal legislative branch from the
 30 requirements of laws it has enacted that apply to all others
 31 throughout the United States; and

32 WHEREAS, the United States Congress acknowledged this
 33 issue and decided to address it in part by passing the
 34 Congressional Accountability Act of 1995, which applied to
 35 Congress and its agencies to adhere to the requirements of
 36 several laws that it had previously exempted itself from; and

37 WHEREAS, at present, Congress and the federal legislative
 38 branch remain exempt from the requirements of many laws
 39 Congress has passed; and

40 WHEREAS, having laws passed by the United States Congress
 41 apply differently to the general public versus members of
 42 Congress and the federal legislative branch is a fundamental
 43 unfairness under the rule of law, and violates the spirit of
 44 the Constitution's Equal Protection and Due Process Clauses;
 45 and

46 WHEREAS, under Article V of the United States
 47 Constitution, on the application of the legislatures of two-
 48 thirds of the several states, the Congress shall call a
 49 Constitutional Convention for the purpose of proposing
 50 amendments, NOW, THEREFORE,

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 52 Be It Resolved by the House of Representatives of the State of
 53 Florida, the Senate Concurring:

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 55 That the Legislature of the State of Florida applies to
 56 Congress, under Article V of the Constitution of the United
 57 States, to call a convention limited to proposing an amendment
 58 to the Constitution which would prohibit the United States
 59 Congress from making any law applying to the citizens of the
 60 United States that does not also equally apply to all United
 61 States Representatives, United States Senators, and all members
 62 of the federal legislative branch; and

63 That this application constitutes a continuing application
 64 in accordance with Article V until the legislatures of at least
 65 two-thirds of the states have made applications on the same
 66 subject.

67 BE IT FURTHER RESOLVED that this Legislature also proposes
 68 that the legislatures of the states comprising the United States
 69 apply to the Congress to call a constitutional convention for
 70 proposing such an amendment to the Constitution.

71 BE IT FURTHER RESOLVED that this concurrent resolution is
 72 revoked and withdrawn, nullified, and superseded to the same
 73 effect as if it had never been passed, and retroactive to the
 74 date of passage, if it is used for the purpose of calling a
 75 convention or used in support of conducting a convention to

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76 | amend the Constitution of the United States with any agenda
77 | other than to propose an amendment to the Constitution which
78 | would prohibit the United States Congress from making any law
79 | applying to the citizens of the United States that does not also
80 | equally apply to all United States Representatives, United
81 | States Senators, and all members of the federal legislative
82 | branch.

83 | BE IT FURTHER RESOLVED that copies of this application be
84 | dispatched to the President of the United States, to the
85 | President of the United States Senate, to the Speaker of the
86 | United States House of Representatives, to each member of the
87 | Florida delegation to the United States Congress, and to the
88 | presiding officer of each house of the legislature of each
89 | state.