SENATE CONCURRENT RESOLUTION No. 161

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED NOVEMBER 8, 2021

Sponsored by:

Senator STEPHEN M. SWEENEY

District 3 (Cumberland, Gloucester and Salem)

Senator NIA H. GILL

District 34 (Essex and Passaic)

Assemblyman NICHOLAS CHIARAVALLOTI

District 31 (Hudson)

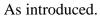
Assemblywoman LINDA S. CARTER

District 22 (Middlesex, Somerset and Union)

SYNOPSIS

Rescinds all applications previously transmitted by the New Jersey Legislature to Congress calling for constitutional convention.

CURRENT VERSION OF TEXT





(Sponsorship Updated As Of: 12/20/2021)

SCR161 SWEENEY, GILL

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1	A CONCURRENT RESOLUTION rescinding all applications
2	previously transmitted by the New Jersey Legislature to the
3	Congress of the United States calling for a convention for the
4	purpose of proposing amendments to the Constitution of the
5	United States.
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7	BE IT RESOLVED by the Senate of the State of New Jersey (the
8	General Assembly concurring):
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10	1. All applications previously transmitted by the New Jersey
11	Legislature to the Congress of the United States calling for a
12	convention for the purpose of proposing an amendment to the
13	United States Constitution are hereby rescinded.
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15	2. Copies of this resolution, as filed with the Secretary of State,
16	shall be transmitted by the Clerk of the General Assembly or the
17	Secretary of the Senate to the Clerk of the United States House of
18	Representatives and to the Secretary of the United States Senate in
19	Washington, D.C.
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22	STATEMENT
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24	Article V of the United States Constitution provides that on the
25	application of the Legislatures of two-thirds of the States, Congress
26	shall call a convention for proposing amendments to the
27	Constitution which will become valid when ratified by the
28	Legislatures of three-fourths of the states or by conventions in
29	three-fourths of the states. Although Congress has never called a
30	convention, it has received hundreds of petitions from state
31	legislatures over two centuries calling for conventions to address
32	various issues.
33	Research indicates that New Jersey has submitted at least eight such
34	petitions. Unfortunately, legal experts disagree about both the
35	longevity of these petitions and as to whether a convention called

for a particular purpose may consider amendments beyond the

scope of that purpose. There appears to be some risk, therefore,

that past petitions could become part of the basis for calling a

convention which addresses issues never contemplated by the

legislators voting for such petitions. Accordingly, this resolution

would rescind all petitions previously passed by the New Jersey

Legislature in order to prevent potential misuse of those petitions.

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