

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

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SENATE DRS25186-MN-8B (03/12)

Short Title: Rescind Constitutional Convention Requests.

(Public)

Sponsors: Senator Soucek (Primary Sponsor).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT RESCINDING ALL EXTANT APPLICATIONS BY THE GENERAL ASSEMBLY
3 HERETOFORE MADE DURING ANY SESSION THEREOF TO THE CONGRESS OF
4 THE UNITED STATES OF AMERICA TO CALL A CONVENTION PURSUANT TO
5 THE TERMS OF ARTICLE V OF THE UNITED STATES CONSTITUTION FOR
6 PROPOSING ONE OR MORE AMENDMENTS TO THAT CONSTITUTION AND
7 DIRECTING THAT COPIES OF THIS ACT BE SENT TO SPECIFIED PERSONS.

8 Whereas, the General Assembly, acting with the best of intentions, has, at various
9 times and during various sessions, previously made applications to the Congress of the United
10 States to call one or more conventions to propose either a single amendment concerning a
11 specific subject or to call a general convention to propose an unspecified and unlimited number
12 of amendments to the Constitution of the United States, pursuant to the provisions of Article V
13 of the Constitution of the United States thereof; and

14 Whereas, former Associate Justice of the United States Supreme Court Arthur J.
15 Goldberg and other leading constitutional scholars agree that such a convention may propose
16 sweeping changes to the Constitution, notwithstanding any limitations or restrictions to the
17 contrary purportedly imposed by the states in applying for such a convention or conventions,
18 thereby creating an imminent peril to the well-established rights of the citizens and the duties of
19 various levels of government; Now, therefore,
20 The General Assembly of North Carolina enacts:

21 **SECTION 1.** The General Assembly rescinds all extant applications by the
22 General Assembly to the Congress of the United States to call a convention to propose
23 amendments to the Constitution of the United States, pursuant to the terms of Article V of the
24 Constitution of the United States thereof, regardless of when or by which session of the General
25 Assembly the applications were made and regardless of whether the applications were for a
26 limited convention to propose one or more amendments regarding one or more specific subjects
27 and purposes or for a general convention to propose an unlimited number of amendments upon
28 an unlimited number of subjects.

29 **SECTION 2.** The Secretary of State shall send a certified copy of this act to the
30 Secretary of the United States Senate, to the Clerk of the United States House of
31 Representatives, to the members of Congress of the United States representing this State, and to
32 the Administrator of the U.S. General Services Administration, Washington, D.C.

33 **SECTION 3.** This act is effective when it becomes law.

