

Department of Legislative Services
Maryland General Assembly
2021 Session

FISCAL AND POLICY NOTE
First Reader

House Joint Resolution 6 (Delegate M. Fisher)

Rules and Executive Nominations

United States Constitution - Amendments Convention - Limitations on Federal Power

This joint resolution states that the General Assembly applies to the U.S. Congress for an amendments convention to be called, pursuant to Article V of the U.S. Constitution, as soon as two-thirds of the states have applied for a convention, to propose amendments to the U.S. Constitution that impose fiscal restraints on the federal government, limit the power and jurisdiction of the federal government, and limit the terms of office for officials of the federal government and for the members of the U.S. Congress. Delegates to the convention from Maryland may not propose amendments that do not address the goals listed in the joint resolution. The application constitutes a continuing application until at least two-thirds of the legislatures of the states have made application for an equivalently limited amendments convention.

Fiscal Summary

State Effect: The joint resolution does not affect State finances.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: Article V of the U.S. Constitution states that Congress may propose amendments to the U.S. Constitution with votes of two-thirds of both Houses. States can also apply to Congress to call a convention for proposing amendments, upon application

of two-thirds of the states. Amendments in either case must be ratified by the legislatures of three-fourths of the states or by conventions in three-fourths of the states “as the one or the other mode of ratification may be proposed by the Congress.”

Additional Information

Prior Introductions: HJ 11 of 2020, a similar joint resolution, received a hearing in the House Rules and Executive Nominations Committee, but no further action was taken. HJ 5 of 2019 received an unfavorable report from the House Rules and Executive Nominations Committee. Similar legislation was introduced in the 2016, 2017, and 2018 sessions.

Designated Cross File: None.

Information Source(s): Department of Legislative Services

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