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FISCAL IMPACT REPORT

SPONSOR Chavez, D. **ORIGINAL DATE** 01/26/11 **LAST UPDATED** _____ **HJR** 5
SHORT TITLE Constitutional Convention Limits **SB** _____
ANALYST Haug

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY11	FY12		
NFI	NFI		

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

No Responses

SUMMARY

Synopsis of Bill

House Joint Resolution 5 requests that the Congress of the United States, pursuant to Article 5 of the United States constitution, call a constitutional convention for the sole purpose of voting to propose or voting not to propose the following specific amendment to the United States constitution:

"The Congress, on Application of the Legislatures of two thirds of the several States, which all contain an identical Amendment, shall call a Convention solely to decide whether to propose that specific Amendment to the States, which, if proposed shall be valid to all intents and purposes as part of the Constitution when ratified pursuant to Article V.";

FISCAL IMPLICATIONS

House Joint Resolution has no fiscal impact.

SIGNIFICANT ISSUES

House Joint Resolution 5 further conditions the request for the call of a constitutional convention by specifying:

that for the purposes of determining whether the required two-thirds of the legislatures of the several states have applied for a convention, this application may be counted and considered valid only in conjunction with qualifying applications of other states that contain the identical text of the specific amendment contained in this application and whose application requires that the sole purpose of the convention is to decide whether to propose or not to propose this specific amendment

that this resolution is revoked and withdrawn, nullified and superseded to the same effect as if it had never been passed and, retroactive to the date of passage, if it is used to conduct a convention that votes to propose any amendment other than the specific text of the amendment contained in this resolution

that every delegate selected to represent this state at any convention that congress calls pursuant to this resolution shall take an oath, enforceable under the laws of this state, to abide by and act according to the limits imposed by this resolution on the purpose of the convention

that any delegate selected to represent this state at a convention called by congress pursuant to this resolution shall have no authority to consider or approve any other amendment but the one contained in this application and that any vote taken in violation of this limitation shall be null and void and any delegate who so votes shall have no authority to represent this state on any matter at the convention

that this application shall only be valid if two-thirds of the states make a qualifying application within seven years of the date of passage of this resolution by the legislature of New Mexico

that this application shall be null and void and of no effect if congress, within ninety days of receipt of qualifying applications from two-thirds of the states, shall not propose and refer for ratification by the several states under the procedures outlined in Article 5 of the United States constitution the same exact text of the amendment contained in this application

that copies of this application be delivered, within thirty days of its passage, to the speaker of the United States house of representatives, the clerk of the United States house of representatives, the president of the United States senate, the secretary of the United States senate, the New Mexico congressional delegation and the presiding officers of each house of the legislature of the several states

that this resolution not take effect unless and until a bill implementing provisions of the resolution has been enacted.