

**ASSEMBLY CONCURRENT
RESOLUTION No. 222**

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED DECEMBER 2, 2021

Sponsored by:

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

As introduced.



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

1 **A CONCURRENT RESOLUTION** rescinding all applications previously
2 transmitted by the New Jersey Legislature to the Congress of the
3 United States calling for a convention for the purpose of proposing
4 amendments to the Constitution of the United States.

6 **BE IT RESOLVED** *by the General Assembly of the State of New*
7 *Jersey (the Senate concurring):*

9 1. All applications previously transmitted by the New Jersey
10 Legislature to the Congress of the United States calling for a
11 convention for the purpose of proposing an amendment to the United
12 States Constitution are hereby rescinded.

2. Copies of this resolution, as filed with the Secretary of State, shall be transmitted by the Clerk of the General Assembly or the Secretary of the Senate to the Clerk of the United States House of Representatives and to the Secretary of the United States Senate in Washington, D.C.

STATEMENT

Article V of the United States Constitution provides that on the application of the Legislatures of two-thirds of the States, Congress shall call a convention for proposing amendments to the Constitution which will become valid when ratified by the Legislatures of three-fourths of the states or by conventions in three-fourths of the states. Although Congress has never called a convention, it has received hundreds of petitions from state legislatures over two centuries calling for conventions to address various issues.

Research indicates that New Jersey has submitted at least eight such petitions. Unfortunately, legal experts disagree about both the 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.