

**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 CHIARAVALLOTTI

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)

SCR161 SWEENEY, GILL

2

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.

6

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

9

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13 United States Constitution are hereby rescinded.

14

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.

20

21

22

STATEMENT

23

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
36 for a particular purpose may consider amendments beyond the
37 scope of that purpose. There appears to be some risk, therefore,
38 that past petitions could become part of the basis for calling a
39 convention which addresses issues never contemplated by the
40 legislators voting for such petitions. Accordingly, this resolution
41 would rescind all petitions previously passed by the New Jersey
42 Legislature in order to prevent potential misuse of those petitions.