

105TH CONGRESS
1ST SESSION

H. J. RES. 28

Proposing an amendment to the Constitution of the United States to abolish the electoral college and to provide for the direct popular election of the President and Vice President of the United States.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 9, 1997

Mr. LAHOOD (for himself and Mr. WISE) introduced the following joint resolution; which was referred to the Committee on the Judiciary

JOINT RESOLUTION

Proposing an amendment to the Constitution of the United States to abolish the electoral college and to provide for the direct popular election of the President and Vice President of the United States.

1 *Resolved by the Senate and House of Representatives*
2 *of the United States of America in Congress assembled (two-*
3 *thirds of each House concurring therein),* That the follow-
4 ing article is proposed as an amendment to the Constitu-
5 tion of the United States, which shall be valid to all intents
6 and purposes as part of the Constitution when ratified by

1 the legislatures of three-fourths of the several States with-
2 in seven years after the date of its submission for ratifica-
3 tion:

4 “ARTICLE —

5 “SECTION 1. The President and Vice President shall
6 be elected by the people of the several States and the dis-
7 trict constituting the seat of government of the United
8 States.

9 “SECTION 2. The electors in each State shall have
10 the qualifications requisite for electors of Senators and
11 Representatives in Congress from that State, except that
12 the legislature of any State may prescribe less restrictive
13 qualifications with respect to residence and Congress may
14 establish uniform residence and age qualifications.

15 “SECTION 3. The persons having the greatest number
16 of votes for President and Vice President shall be elected,
17 if such number be at least 40 per centum of the whole
18 number of votes cast for such offices. If no persons have
19 such number, a runoff election shall be held in which the
20 choice of President and Vice President shall be made from
21 the persons who received the two highest numbers of votes
22 for each office.

23 “SECTION 4. The days for such elections shall be de-
24 termined by Congress. The times, places, and manner of
25 holding such election and entitlement to inclusion on the

1 ballot shall be prescribed in each State by the legislature
2 thereof; but the Congress may at any time by law make
3 or alter such regulations. The Congress shall prescribe by
4 law the time, place, and manner in which the results of
5 such elections shall be ascertained and declared.

6 “SECTION 5. Each elector shall cast a single vote
7 jointly applicable to President and Vice President. Names
8 of candidates shall not be joined unless they shall have
9 consented thereto and no candidate shall consent to his
10 or her name’s being joined with that of more than one
11 other person.

12 “SECTION 6. The Congress may by law provide for
13 the case of the death of any candidate for President or
14 Vice President before the day on which the President-elect
15 or a Vice President-elect has been chosen; and for the case
16 of a tie in any election.

17 “SECTION 7. This article shall take effect one year
18 after the twenty-first day of January following ratifica-
19 tion.”.

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