

105TH CONGRESS
1ST SESSION

H. J. RES. 85

Proposing an amendment to the Constitution of the United States to give citizens of the United States the right to propose amendments to the Constitution by an initiative process.

IN THE HOUSE OF REPRESENTATIVES

JUNE 25, 1997

Mr. HOEKSTRA 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 give citizens of the United States the right to propose amendments to the Constitution by an initiative process.

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
7 the legislatures of three-fourths of the several States with-

1 in seven years after the date of its submission for ratifica-
2 tion:

3 “ARTICLE —

4 “SECTION 1. The people shall have the right to pro-
5 pose amendments to the Constitution through the initia-
6 tive process provided in this article.

7 “SECTION 2. A petition proposing an amendment to
8 the Constitution shall be submitted to an officer of the
9 Government of the United States whom the Congress shall
10 designate by law. Each petition shall contain the text of
11 the proposed amendment. Each petition shall be signed
12 by at least 3 percent of the whole number of people, in
13 each of at least 10 States, who voted in the most recent
14 election for President, or for electors for President, occur-
15 ring before the date on which the petition is submitted
16 to the officer designated by Congress, and the total num-
17 ber of signatures on such petition shall be at least 3 per-
18 cent of the whole number of people, from all of the several
19 States, who voted in such election. All such signatures
20 shall be collected within the 18-month period ending on
21 the date the petition is submitted to the officer designated
22 by the Congress.

23 “Within 90 days after a petition is submitted to the
24 officer designated by the Congress, such officer shall de-
25 termine the validity of the signatures contained in the pe-

1 petition. If the petition contains the required number of valid
2 signatures, the officer shall certify the petition and shall
3 direct the chief executive officer in each State to place a
4 copy of the proposed amendment contained in the petition
5 on the ballot in the first election (other than an election
6 to fill a vacancy) for Members of the House of Representa-
7 tives which is held at least 120 days after such certifi-
8 cation. The Congress shall by law establish procedures for
9 the preparation and submission of any such petition and
10 for the validation of signatures on such petition.

11 “SECTION 3. If the amendment proposed under this
12 article receives a majority of the votes cast in three-fifths
13 of the several States, the amendment shall be deemed pro-
14 posed to the States for ratification under article V of this
15 Constitution. Congress shall provide by law which of the
16 eligible modes of ratification shall be used.

17 “SECTION 4. The people in each State voting under
18 this article shall have the qualification requisite for elec-
19 tors of the most numerous branch of the State legislature.
20 The Congress shall by law prescribe the manner in which
21 the results of the voting conducted under this article shall
22 be ascertained and declared.”.

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