

108TH CONGRESS
2D SESSION

H. J. RES. 113

Proposing an amendment to the Constitution of the United States relating to the process by which the House of Representatives chooses the President of the United States in the event no candidate receives a majority of the electoral votes.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 18, 2004

Mr. SHERMAN 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 relating to the process by which the House of Representatives chooses the President of the United States in the event no candidate receives a majority of the electoral votes.

1 *Resolved by the Senate and House of Representatives*
2 *of the United States of America in Congress assembled*
3 *(two-thirds of each House concurring therein),* That the fol-
4 lowing article is proposed as an amendment to the Con-
5 stitution of the United States, which shall be valid to all
6 intents and purposes as part of the Constitution when
7 ratified by the legislatures of three-fourths of the several

1 States within seven years after the date of its submission
2 for ratification:

3 “ARTICLE —

4 “SECTION 1. Whenever the right to choose the Presi-
5 dent devolves upon the House of Representatives, the
6 Members of the House shall cast votes on an individual
7 basis, and the candidate receiving the greatest number of
8 votes cast by the Members shall be the President so long
9 as such number is a majority of the votes cast.

10 “SECTION 2. For purposes of a meeting of the House
11 to cast votes under section 1, a majority of the House shall
12 constitute a quorum, except that a member or Members
13 must be present from at least two-thirds of the States.”.

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