

111TH CONGRESS
2D SESSION

H. J. RES. 71

Proposing an amendment to the Constitution of the United States to give citizens of the United States the right to recall elected officials.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 21, 2010

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 recall elected officials.

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*
8 *States within seven years after the date of its submission*
9 *for ratification:*

1 “ARTICLE —

2 “SECTION 1. The people shall have the right to recall
3 any person elected by popular vote or the electors of the
4 various States to hold an office of the Federal Govern-
5 ment.

6 “SECTION 2. A petition proposing the recall of an
7 elected official shall be submitted to an officer of the Gov-
8 ernment of the United States whom the Congress shall
9 designate by law. Each petition shall be signed by at least
10 ten percent of the whole number of people voting in a
11 given State or congressional district, who voted in the
12 most recent election for President, or for electors for
13 President, occurring before the date on which the petition
14 is submitted to the officer designated by Congress. All
15 such signatures shall be collected within the six-month pe-
16 riod ending on the date the petition is submitted to the
17 officer designated by the Congress.

18 “Within ninety days after a petition is submitted to
19 the officer designated by the Congress, such officer shall
20 determine the validity of the signatures contained in the
21 petition. If the petition contains the required number of
22 valid signatures, the officer shall certify the petition and
23 shall direct the chief executive officer in each State to
24 place on a ballot the question of recall before the voters
25 in the State or congressional district for Members of Con-

1 gress. The Congress shall by law establish procedures for
2 the preparation and submission of any such petition and
3 for the validation of signatures on such petition.

4 “SECTION 3. For the recall of Members of the Senate
5 the recall election shall be held on the first Statewide elec-
6 tion for public office (whether a primary election or a gen-
7 eral election) which is held at least sixty days after the
8 certification of valid signatures on such a petition.

9 “For the recall of Members of the House of Rep-
10 resentatives, a recall election shall be held within sixty
11 days of the certification of valid signatures on such a peti-
12 tion.

13 “SECTION 4. If a recall ballot under this article re-
14 ceives a majority of the votes cast in either the district
15 or State of Members of Congress, the recall of the said
16 elected official shall take effect immediately upon certifi-
17 cation of vote results by the chief executive officer of the
18 States.

19 “SECTION 5. In the event of the removal of a Member
20 of Congress by recall, the chief executive officer of each
21 of the States shall order a special election within the
22 guidelines of the State.

23 “SECTION 6. The people in each State voting under
24 this Article shall have the qualification requisite for elec-
25 tors of the most numerous branch of the State legislature.

- 1 The Congress shall by law prescribe the manner in which
- 2 the results of the voting conducted under this article shall
- 3 be ascertained and declared.”.

