

111TH CONGRESS  
2D SESSION

# H. R. 4499

To provide that the voters of the United States be given the right, through advisory voter initiative, to propose the enactment and repeal of Federal laws in a national election.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 21, 2010

Mr. HOEKSTRA introduced the following bill; which was referred to the Committee on House Administration, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To provide that the voters of the United States be given the right, through advisory voter initiative, to propose the enactment and repeal of Federal laws in a national election.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

### 3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “National Advisory  
5 Voter Initiative Act of 2010”.

### 6 **SEC. 2. RIGHTS OF THE PEOPLE.**

7 The people shall have the right—

1           (1) to propose any law which the Congress has  
2           authority to pass; and

3           (2) to propose the repeal of any provision of law  
4           passed by the Congress which has become law.

5 **SEC. 3. PETITION PROCEDURE.**

6           A petition proposing the enactment of a law, or the  
7           repeal of a provision of law, shall be submitted to an offi-  
8           cer of the United States whom the Congress shall des-  
9           ignate by law. Each petition shall contain the text of the  
10          proposed law, or, in the case of a repeal, the text of the  
11          provision of law proposed to be repealed. Each petition  
12          shall be signed by at least 3 percent of the whole number  
13          of people, in each of at least 10 States, who voted in the  
14          last presidential election before the date on which the peti-  
15          tion is submitted. The total number of signatures on such  
16          petition shall be at least 3 percent of the whole number  
17          of people, from all of the several States, who voted in that  
18          election. All signatures shall be collected during the 18-  
19          month period ending on the date on which the petition  
20          is submitted.

21 **SEC. 4. BALLOT PROCEDURE.**

22          Not later than 90 days after a petition is submitted  
23          under section 3, the officer to whom the petition is sub-  
24          mitted shall determine the validity of the signatures on  
25          the petition. If the petition contains the required number

1 of valid signatures, the officer shall certify the petition and  
2 shall direct the chief executive officer of each State to  
3 place a copy of the proposed law, or provision of law pro-  
4 posed to be repealed on the ballot in the first House of  
5 Representatives election (other than an election to fill a  
6 vacancy) which is held at least 120 days after such certifi-  
7 cation. The Congress shall by law—

8 (1) establish procedures for the preparation and  
9 submission of petitions and for the validation of pe-  
10 tition signatures; and

11 (2) prescribe the manner in which the results of  
12 the voting conducted under this Act shall be  
13 ascertained and declared.

14 **SEC. 5. CONGRESSIONAL ACTION.**

15 If a law or repeal proposed under this Act receives  
16 a majority of the votes cast in  $\frac{3}{5}$  of the several States,  
17 the proposed law or repeal shall be introduced in the  
18 House of Representatives by the Speaker of the House of  
19 Representatives and in the Senate by the President pro  
20 tempore of the Senate on the first day of the first session  
21 of the Congress following the vote.

1 **SEC. 6. VOTER QUALIFICATIONS.**

2       The people in each State voting under this Act shall  
3 have the qualifications requisite for electors of the most  
4 numerous branch of the State legislature.

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