

1 STATE OF OKLAHOMA

2 1st Session of the 55th Legislature (2015)

3 HOUSE JOINT  
4 RESOLUTION 1011

By: Virgin

5  
6 AS INTRODUCED

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8 A Joint Resolution urging Congress to propose an  
9 amendment to the United States Constitution; making  
10 application for a Constitutional Convention limited  
11 to addressing issues arising under the First  
12 Amendment to the Constitution of the United States of  
13 America; explaining purpose and scope of application;  
14 limiting authorization of delegates, representatives  
15 or participants to the Convention; prohibiting  
16 delegates from voting on unauthorized amendments;  
17 requiring delegates to take oath; providing penalty  
18 for violation of oath; providing that application is  
19 a continuing application that supersedes prior  
20 applications; and providing for distribution.

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23 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE  
24 1ST SESSION OF THE 55TH OKLAHOMA LEGISLATURE:

25  
26 THAT the Legislature of the State of Oklahoma urges the Congress  
27 of the United States to propose an amendment to the United States  
28 Constitution addressing the holding in the United States Supreme  
29 Court case of Citizens United v. Federal Election Commission, No.  
30 08-205, 558 U.S. 310 (2010) and hereby applies to the Congress,  
31 under the provisions of Article V of the United States Constitution,  
32 for the calling of a Convention of the States limited to proposing

1 an amendment to the United States Constitution to address issues  
2 arising under the First Amendment.

3 THAT this application is to be considered as covering the same  
4 subject matter as the presently outstanding applications from other  
5 states and shall be aggregated with the presently outstanding  
6 applications of other states for the purpose of attaining the two-  
7 thirds (2/3) of states necessary to require the calling of an  
8 Article V Convention for proposing a change in the First Amendment,  
9 but shall not be aggregated with any applications on any other  
10 subject.

11 THAT if the Convention called by the Congress is not limited to  
12 considering changes in the First Amendment, then any delegates,  
13 representatives, or participants from the State of Oklahoma asked to  
14 participate in the Convention are authorized to debate and vote only  
15 on a proposed amendment or amendments to the United States  
16 Constitution related to changes in the First Amendment.

17 THAT no delegate from this state to a Convention shall have the  
18 authority to vote to allow consideration of or vote to approve an  
19 unauthorized amendment. Any delegate casting a vote to allow  
20 consideration or approval of an unauthorized amendment shall be  
21 immediately recalled by the Speaker of the Oklahoma House of  
22 Representatives and the President Pro Tempore of the Oklahoma State  
23 Senate and replaced by an alternate.  
24

1            THAT a delegate or alternate from this state to the Convention  
2 shall be required to take the following oath:

3            "I do solemnly swear or affirm that to the best of my abilities,  
4 I will, as a delegate or alternate to an Article V Convention,  
5 uphold the Constitution and laws of the United States of America and  
6 the State of Oklahoma. I will not vote to allow consideration of or  
7 to approve any unauthorized amendment proposed for ratification to  
8 the United States of America Constitution."

9            THAT any delegate who violates the oath contained in this  
10 resolution, upon conviction, shall be guilty of a misdemeanor.

11           THAT this application constitutes a continuing application in  
12 accordance with Article V of the United States Constitution until  
13 the Legislatures of at least two-thirds (2/3) of the several states  
14 have made applications on the same subject or the Congress has  
15 proposed an amendment to the United States Constitution equivalent  
16 to the amendment proposed in this resolution. This application  
17 supersedes any previous application by the Legislature of the State  
18 of Oklahoma on the same subject.

19           THAT copies of this resolution shall be dispatched by the  
20 Oklahoma Secretary of State to the President Pro Tempore and  
21 Secretary of the United States Senate, to the Speaker and Clerk of  
22 the United States House of Representatives, to the Oklahoma  
23 Congressional Delegation, and to the presiding officers of each of  
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1 the legislative houses of the several states, requesting their  
2 cooperation.

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