

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

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HOUSE BILL 692

Short Title: Amendment Convention Procedures. (Public)

Sponsors: Representative Brody (Primary Sponsor).

For a complete list of Sponsors, refer to the North Carolina General Assembly Web Site.

Referred to: Judiciary I.

April 15, 2015

A BILL TO BE ENTITLED

1 AN ACT TO APPLY TO CONGRESS FOR THE CALLING OF A CONVENTION
2 PURSUANT TO ARTICLE V OF THE UNITED STATES CONSTITUTION.
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4 Whereas, Article IV, Section 4 of the Constitution of the United States guarantees to
5 every state a republican form of government that gives each state equal standing when calling
6 for a federal amendment convention; and

7 Whereas, Article V of the Constitution of the United States reserves to the state
8 legislatures the right to apply for a federal convention for the purpose of proposing
9 amendments to the United States Constitution when Congress, the courts, or the executive
10 branch refuse to address an egregious wrong suffered by the people; and

11 Whereas, the state legislatures alone have the authority to limit the agenda and
12 authority of delegates and alternates they send to a convened federal convention. This authority
13 does not reside in the United States Congress, nor in the federal or state courts, nor in the
14 executive branch. This authority resides solely in state legislatures; and

15 Whereas, the authority of Congress, under Article V of the Constitution of the
16 United States, requires it to convene a convention as called for and defined by the state
17 legislatures of the several states; Now, therefore,
18 The General Assembly of North Carolina enacts:

19 **SECTION 1.** Application for Calling of Convention. – The North Carolina General
20 Assembly hereby applies to Congress, under the provisions of Article V of the Constitution of
21 the United States, for the calling of a single-issue convention of the states, called a
22 "countermand amendment convention," for the sole purpose of deciding whether the proposed
23 countermand amendment should be sent back to the state legislatures for ratification.

24 **SECTION 2.** Duration of Application. – The application set forth in Section 1 of
25 this act constitutes a continuing application in accordance with Article V of the Constitution of
26 the United States until the legislatures of at least two-thirds of the several states have made
27 identical or substantially similar applications as the one set forth in Section 1 of this act.

28 **SECTION 3.** Instructions to Congress. – Congress is directed to call the
29 countermand amendment convention within 60 days from the date it receives the 34th call for
30 this convention from state legislatures.

31 **SECTION 4.** Distribution of Copies of Act. – The Secretary of State shall transmit
32 copies of this act to (i) the President and Secretary of the United States Senate; (ii) the Speaker
33 and Clerk of the United States House of Representatives; (iii) each member of the North
34 Carolina delegation to the United States Senate and United States House of Representatives;



1 and (iv) the presiding officers of each of the legislative houses in the several states, requesting
2 their cooperation with the purposes of this act.

3 **SECTION 5.** This act is effective when it becomes law.