

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE RESOLUTION

No. 112 Session of
2025

INTRODUCED BY DUSH, PHILLIPS-HILL, ARGALL, PENNYCUICK AND
BARTOLOTTA, MAY 22, 2025

REFERRED TO STATE GOVERNMENT, MAY 22, 2025

A CONCURRENT RESOLUTION

Petitioning the Congress of the United States to call a Convention for proposing amendments pursuant to Article V of the Constitution of the United States limited to proposing amendments that impose fiscal restraints on the Federal Government, limit the power and jurisdiction of the Federal Government and limit the terms of office for its officials and for members of Congress.

WHEREAS, The Founders of our Constitution empowered State legislators to be guardians of liberty against future abuses of power by the Federal Government; and

WHEREAS, The Federal Government has created a crushing national debt through improper and imprudent spending; and

WHEREAS, The Federal Government has invaded the legitimate roles of the states through the manipulative process of Federal mandates, most of which are unfunded to a great extent; and

WHEREAS, The Federal Government has ceased to operate under a proper interpretation of the Constitution of the United States; and

WHEREAS, It is the solemn duty of the states to protect the liberty of our people, especially for future generations, by

1 proposing amendments to the Constitution of the United States
2 through a Convention for proposing amendments under Article V
3 for the purpose of restraining these and related abuses of
4 power; therefore be it

5 RESOLVED (the House of Representatives concurring), That the
6 General Assembly of the Commonwealth of Pennsylvania hereby
7 apply to the Congress of the United States under the provisions
8 of Article V of the Constitution of the United States, for the
9 calling of a Convention limited to proposing amendments to the
10 Constitution of the United States that impose fiscal restraints
11 on the Federal Government, limit the power and jurisdiction of
12 the Federal Government and limit the terms of office for its
13 officials and for members of Congress; and be it further

14 RESOLVED, That the General Assembly of the Commonwealth adopt
15 this application expressly subject to the following
16 reservations, understandings and declarations:

17 (1) An application to Congress for an Article V
18 Convention confers no power on Congress other than to perform
19 a ministerial function to call a Convention.

20 (2) This ministerial duty shall be performed by Congress
21 only when Article V applications for substantially the same
22 purpose are received from two-thirds of the legislatures of
23 the several states.

24 (3) The power of Congress to call a Convention solely
25 consists of the authority to name a reasonable time and place
26 for the initial meeting of the Convention.

27 (4) Congress possesses no power to name delegates to the
28 Convention, as this power remains exclusively within the
29 authority of the legislatures of the several states.

30 (5) Congress possesses no power to set the number of

1 delegates to be sent by any state.

2 (6) Congress possesses no power to determine any rules
3 for the Convention.

4 (7) According to the universal historical precedent of
5 interstate conventions in America, states meet under
6 conditions of equal sovereignty, which means one state, one
7 vote.

8 (8) A convention convened pursuant to this application
9 is limited to consideration of topics solely specified in
10 this resolution.

11 (9) This application is made with the express
12 understanding that no amendment which in any way seeks to
13 amend, modify or repeal any provision of the Bill of Rights
14 of the Constitution of the United States is authorized for
15 consideration at any stage.

16 (10) This application shall be void ab initio if ever
17 used at any stage to consider any change to any amendment
18 within the Bill of Rights.

19 (11) The General Assembly of the Commonwealth may
20 provide further instructions to its delegates.

21 (12) The General Assembly of the Commonwealth may recall
22 its delegates at any time for breach of their duties or
23 violation of their instructions.

24 (13) Under Article V, Congress may determine whether
25 proposed amendments shall be ratified by the legislatures of
26 the several states or by special state ratification
27 conventions;

28 and be it further

29 RESOLVED, That the General Assembly of the Commonwealth
30 recommend that Congress choose ratification by state

1 legislatures; and be it further

2 RESOLVED, That the General Assembly of the Commonwealth
3 appoint five delegates to any Convention called pursuant to this
4 application in accordance with the following:

5 (1) That the Senate choose two delegates. The House of
6 Representatives shall choose two delegates. Each chamber
7 shall nominate two additional persons to serve as alternates.
8 The President pro tempore of the Senate and the Speaker of
9 the House of Representatives shall jointly choose the fifth
10 delegate from the list of nominated alternates.

11 (2) That the President pro tempore of the Senate and the
12 Speaker of the House of Representatives shall each nominate
13 five persons to serve as delegates. Each legislator may cast
14 a vote for not more than two persons on his or her respective
15 slate. The two candidates getting the most votes are the
16 Convention delegates appointed by each respective chamber.
17 The two candidates getting the next highest number of votes
18 are appointed as alternate delegates.

19 (3) That neither the Governor, nor any current member of
20 the Congress of the United States nor any sitting judge of
21 any court be appointed as a delegate of the Commonwealth.

22 (4) That travel and per diem expenses of each delegate
23 of the Commonwealth be paid by the Commonwealth on the same
24 basis as the reimbursement for such costs when members of the
25 legislature travel on official business of the Commonwealth.

26 (5) That any delegate or alternate of the Commonwealth
27 who receives and accepts any item of value, excluding
28 education materials, from any person or entity in any
29 connection with their service be immediately disqualified and
30 shall be replaced by an alternate immediately.

1 (6) That each delegate of the Commonwealth take the
2 following oath on penalty of perjury:

3 "I promise to faithfully conduct my duties as a
4 delegate from Pennsylvania to the Convention. I will
5 obey all instructions received with my commission.
6 Specifically, I will not support, but will
7 affirmatively oppose, any proposal that goes outside
8 the subject matter specified therein. I further agree
9 to immediately notify the President pro tempore of
10 the Senate and the Speaker of the House of
11 Representatives if I believe that any Pennsylvania
12 delegate or alternate delegate has violated his or
13 her oath or instructions while participating in the
14 Convention. I realize that I can and will be
15 immediately removed from my position if I violate
16 this oath and that I will be required to reimburse
17 the Commonwealth of Pennsylvania for all expenses
18 paid to me as a delegate. I realize also that I may
19 be punished for contempt by the General Assembly for
20 failing to adhere to this oath."

21 (7) That prior to the Convention, the General Assembly
22 of the Commonwealth may by concurrent resolution provide
23 further instructions to the delegates of the Commonwealth
24 selected pursuant to this resolution regarding the scope of
25 matters they may consider and vote on at the Convention,
26 including rules of procedure and proposed amendments. The
27 instructions may be changed by the General Assembly prior to
28 or during the course of the Convention and may include:

29 (i) an instruction that the Pennsylvania delegates
30 may not support any voting rule other than the default

1 rule whereby each state exercises one vote; and

2 (ii) an instruction that on all voting matters at
3 the Convention, the decision of a simple majority of the
4 delegates of the Commonwealth shall constitute a single
5 vote for Pennsylvania.

6 (8) That after delegates of the Commonwealth have been
7 selected, the General Assembly of the Commonwealth may by
8 concurrent resolution recall delegates or alternates to the
9 Convention or appoint new delegates or alternates.

10 (9) That if the General Assembly of the Commonwealth is
11 not in session, delegates of the Commonwealth be suspended
12 pending a concurrent resolution by a joint legislative
13 committee duly authorized by the General Assembly for that
14 purpose. This joint legislative committee shall be authorized
15 to conduct its business via telephone or other means of real-
16 time electronic communication.

17 (10) That a delegate who is recalled, disqualified or
18 otherwise unable to perform his or her duties shall be
19 immediately replaced by one of the alternates, as directed by
20 the concurrent resolution or duly authorized joint
21 legislative committee.

22 (11) That any vote cast by a delegate of the
23 Commonwealth or an alternate delegate at an Article V
24 Convention that is outside the scope of the following be
25 void:

26 (i) the instructions established by a concurrent
27 resolution adopted under this resolution; and

28 (ii) the limits placed by the General Assembly of
29 the Commonwealth in a concurrent resolution that calls
30 for an Article V Convention for the purpose of proposing

1 amendments to the Constitution of the United States on
2 the subjects and amendments that may be considered by the
3 Article V Convention;

4 and be it further

5 RESOLVED, That this resolution constitute a continuing
6 application in accordance with Article V of the Constitution of
7 the United States until at least two-thirds of the legislatures
8 of the several states have made application for a Convention on
9 the same subject; and be it further

10 RESOLVED, That a copy of this resolution be transmitted to
11 the President of the United States Senate, the Speaker of the
12 United States House of Representatives, each member of the
13 Pennsylvania delegation to Congress and the presiding officers
14 of each house of the state legislatures requesting their
15 cooperation in applying for a Convention limited to the subject
16 matter contemplated by this application.