



HOUSE JOINT RESOLUTION 390: Application for a Convention of the States.

2019-2020 General Assembly

Committee:	House Regulatory Reform. If favorable, re- refer to Rules, Calendar, and Operations of the House	Date:	April 16, 2019
Introduced by:	Reps. Riddell, Saine, Setzer, D. Hall	Prepared by:	Jeremy Ray* Staff Attorney
Analysis of:	First Edition		

OVERVIEW: *House Joint Resolution 390 would request that Congress call an Article V Convention for proposing amendments to the United State Constitution.*

CURRENT LAW: Article V of the United States Constitution provides that the federal Constitution can be amended in the following ways:

For proposal of amendments:

- Two-thirds of Congress can propose amendments, or
- Two-thirds of state legislatures (34 states) can request that Congress call a convention for proposing amendments. (Article V Convention)

Ratification of amendments may be made by either:

- Three-fourths of state legislatures (38 states), or
- Three-fourths of state conventions.

BILL ANALYSIS: HJR 390 would request that Congress call an Article V convention for proposing amendments to the United State Constitution on:

- Imposing fiscal restraints on the federal government.
- Limiting the power and jurisdiction of the federal government.
- Limiting the terms of office for federal government officials and for members of Congress.

The application for a convention would continue until its expiration on December 31, 2028. The North Carolina Secretary of State would be required to transmit the application to the President of the United State, the Secretary of the United States Senate, the Speaker and Clerk of the United States House of Representatives, the members of North Carolina's congressional delegation, and the presiding officers of all state legislatures in the several States requesting their cooperation.

EFFECTIVE DATE: HJR 390 would become effective upon ratification.

**Kara McCraw, Staff Attorney for the Legislative Analysis Division, substantially contributed to this summary.*

Karen Cochrane-Brown
Director



Legislative Analysis
Division
919-733-2578