

Senate Resolution 44

By: Senators Orrock of the 36th, Fort of the 39th, Butler of the 55th, Tate of the 38th, Davenport of the 44th and others

A RESOLUTION

1 Requesting that the United States Congress and the President of the United States work to
2 amend the Constitution of the United States to prohibit corporations and other entities from
3 making unlimited independent expenditures supporting or opposing candidates for public
4 office; and for other purposes.

5 WHEREAS, a vast majority of Americans recognize that the influence of large contributions
6 by corporations and other entities harms the ability of average citizens to have a voice in their
7 own government; and

8 WHEREAS, the First Amendment to the United States Constitution was designed to protect
9 the free speech rights of individual human beings ("natural persons"), not corporations; and

10 WHEREAS, the narrow five to four decision of the United States Supreme Court in *Citizens*
11 *United v. Federal Election Commission*, 130 S.Ct. 876 (2010), allows corporations and other
12 entities to make unlimited independent expenditures supporting or opposing a candidate for
13 public office; and

14 WHEREAS, unlimited independent expenditures from corporations and other entities were
15 prohibited until the ruling of the United States Supreme Court in *Citizens United*; and

16 WHEREAS, much of the hundreds of millions of dollars being spent by corporations and
17 other entities since the ruling of the United States Supreme Court in *Citizens United* is going
18 to negative ads, which often misinform voters rather than lead to a productive discussion of
19 the states' and nation's most important issues; and

20 WHEREAS, unless the United States Supreme Court reverses its ruling, the only way to
21 reverse the harmful effects of the *Citizens United* ruling is to amend the Constitution of the
22 United States; and

23 WHEREAS, while not addressed by the United States Supreme Court's ruling in *Citizens*
24 *United*, unlimited independent expenditures made by individuals also distort the political
25 process and ability of all American citizens to have an equal voice in government.

26 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE that the members of this body
27 request that the United States Congress and the President of the United States work across
28 party lines to propose a constitutional amendment to prohibit corporations and other entities
29 from making unlimited independent expenditures.

30 BE IT FURTHER RESOLVED that the Secretary of the Senate is authorized and directed
31 to make appropriate copies of this resolution available for distribution to the President of the
32 United States, all members of the United States Congress, and the presiding officers of the
33 legislatures of each of the other 49 states.