

**Subject** Resolution; *Citizens United v. FEC*

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## Summary

This bill contains a memorial resolution to Congress, requesting on behalf of the legislature that Congress propose a constitutional amendment to the states for ratification related to the rights protected by the Constitution. The proposed amendment would provide that:

- 1) protected constitutional rights apply to natural persons only;
- 2) an entity, including an organization or association, does not have rights separate from the rights of its members;
- 3) federal, state, and local levels of government must enact laws limiting or prohibiting campaign contributions and expenditures; and
- 4) permissible contributions and expenditures be publicly disclosed.

A 2010 decision of the U.S. Supreme Court, *Citizens United v. FEC*, held that, among other things, First Amendment rights of speech extend to groups such as corporations, labor unions, and other organized entities. The case overturned many restrictions on the political activities of these types of groups that had previously applied.

The content proposed by this resolution would, if fully implemented, revert the state of federal law to more closely resemble the law that applied prior to the *Citizens United* decision. The decision further requires enactment of campaign contribution and expenditure restrictions designed “to ensure that all citizens, regardless of their economic status, have access to the political process, and that no person gains, as a result of their money, substantially more access or ability to influence in any way the election of any candidate for public office or any ballot measure.”