

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HM 1275

Congressional Term Limits

SPONSOR(S): Schenck

TIED BILLS:

IDEN./SIM. BILLS: SM 2378

	REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1)	Governmental Affairs Policy Committee	9 Y, 3 N	McDonald	Williamson
2)	Rules & Calendar Council			
3)				
4)				
5)				

SUMMARY ANALYSIS

Pursuant to Article V of the United States Constitution, House Memorial 1275 petitions the Congress of the United States to call a Constitutional Convention for the purpose of amending the Constitution to limit the terms of office of members of Congress to 12 consecutive years as set forth in suggested amendatory language in the memorial. Furthermore, the memorial states the purview of any convention called by Congress be limited to the consideration of an amendment limiting congressional term limits like is proposed in the memorial. Finally, the memorial states the application for a Constitutional Convention constitutes a continuing application until two-thirds of the Legislatures of the states have applied to Congress for a convention and the convention is convened.

The memorial directs that copies of the memorial are to be sent to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, each member of the Florida delegation to the United States Congress, and the presiding officer of each house of each state legislature in the United States.

## HOUSE PRINCIPLES

Members are encouraged to evaluate proposed legislation in light of the following guiding principles of the House of Representatives

- Balance the state budget.
- Create a legal and regulatory environment that fosters economic growth and job creation.
- Lower the tax burden on families and businesses.
- Reverse or restrain the growth of government.
- Promote public safety.
- Promote educational accountability, excellence, and choice.
- Foster respect for the family and for innocent human life.
- Protect Florida's natural beauty.

## FULL ANALYSIS

### I. SUBSTANTIVE ANALYSIS

#### A. EFFECT OF PROPOSED CHANGES:

##### **Present Situation**

##### Amendment to the United States Constitution

Article V of the United States Constitution reads, in part, as follows:

The Congress, whenever two thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution, or, on the Application of the Legislatures of two thirds of the several States, shall call a Convention for proposing Amendments, which, in either Case, shall be valid to all Intents and Purposes, as Part of this Constitution, when ratified by the Legislatures of three fourths of the several States, or by Conventions in three fourths thereof, as the one or the other Mode of Ratification may be proposed by the Congress;

##### Term of Office for Members of Congress

Article I of the United States Constitution states members of the United States House of Representative are elected for two year terms of office and members of the United States Senate are elected for six year terms of office.

The United States Constitution does not provide a term limit for members of Congress as it does for the President of the United States in Article XXII.

##### **Proposed Changes**

House Memorial 1275 petitions the Congress of the United States to call a Constitutional Convention pursuant to Article V of the United States Constitution for the purpose of amending the Constitution to limit the terms of office of members of Congress to 12 consecutive years as set forth in suggested amendatory language. Furthermore, the memorial states the purview of any convention called by Congress be limited to the consideration of an amendment limiting congressional term limits like is proposed. Finally, the memorial states the application for a Constitutional Convention constitutes a continuing application until two-thirds of the Legislatures of the states have applied to Congress for a convention and the convention is convened.

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**B. SECTION DIRECTORY:**

Not applicable.

**II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT**

**A. FISCAL IMPACT ON STATE GOVERNMENT:**

1. Revenues:

None.

2. Expenditures:

None.

**B. FISCAL IMPACT ON LOCAL GOVERNMENTS:**

1. Revenues:

None.

2. Expenditures:

None.

**C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:**

None.

**D. FISCAL COMMENTS:**

None.

**III. COMMENTS**

**A. CONSTITUTIONAL ISSUES:**

1. Applicability of Municipality/County Mandates Provision:

Not applicable. The bill does not appear to require a county or municipality to spend funds or take an action requiring expenditures; reduce the authority that counties and municipalities had as of February 1, 1989, to raise revenues in the aggregate; or reduce the percentage of a state tax shared in the aggregate with counties and municipalities as of February 1, 1989.

2. Other:

None.

**B. RULE-MAKING AUTHORITY:**

None.

**C. DRAFTING ISSUES OR OTHER COMMENTS:**

None.

#### IV. AMENDMENTS/COUNCIL OR COMMITTEE SUBSTITUTE CHANGES

None.