

HM 1321

2015

## 1 House Memorial

2 A memorial to the Congress of the United States,  
3 urging Congress to propose to the states an amendment  
4 to the Constitution of the United States to provide  
5 that political contributions and expenditures by  
6 corporations be regulated by federal, state, and local  
7 governments.

8  
9 WHEREAS, government of, by, and for the people has long  
10 been a cherished American value, and the people's fundamental  
11 and inalienable right to self-govern and thereby secure rights  
12 to life, liberty, property, and the pursuit of happiness is  
13 guaranteed by the United States Constitution, and

14 WHEREAS, corporations are not mentioned in the United  
15 States Constitution but are human-made legal fictions created  
16 with the express permission of the people by our elected  
17 representatives through the government, and

18 WHEREAS, although many corporations make important  
19 contributions to society, they are allowed to operate  
20 simultaneously across many nations and use court-granted  
21 corporate rights to profit, regardless of potential harm to a  
22 community and despite regulations intended to protect the people  
23 and the common good, and

24 WHEREAS, the United States Supreme Court's rulings in  
25 *Citizens United v. Federal Election Commission*, 558 U.S. 310  
26 (2010), and *McCutcheon v. Federal Election Commission*, 572 U.S.

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27 | \_\_\_\_ (2014), endow corporations with constitutional protections  
 28 | originally held by the people, including the same right to  
 29 | freedom of speech as natural persons, and

30 |       WHEREAS, as a result of these and other judicial rulings,  
 31 | corporations are permitted to spend vast sums to support or  
 32 | oppose any candidate for federal, state, or local office or to  
 33 | support or oppose ballot initiatives, and

34 |       WHEREAS, the Florida Legislature believes that free and  
 35 | fair elections are essential to democracy and effective self-  
 36 | governance and that unregulated and excessive expenditures by  
 37 | corporations undermines the fairness of elections, NOW,  
 38 | THEREFORE,

39 |  
 40 | Be It Resolved by the Legislature of the State of Florida:

41 |  
 42 |       That the United States Congress is urged to propose to the  
 43 | states an amendment to the Constitution of the United States  
 44 | establishing that:

45 |       (1) Corporations are not persons but artificial entities  
 46 | established by the laws of a state, the United States, or a  
 47 | foreign state;

48 |       (2) Corporations have no inalienable rights under the  
 49 | United States Constitution and that corporations be subject to  
 50 | regulation by the people through federal, state, or local  
 51 | government regulations;

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52 (3) Money is not speech for the purpose of electioneering  
53 and, therefore, that contributions and expenditures be subject  
54 to limits and regulations by federal, state, and local  
55 governments to ensure fair and equal access to participation in  
56 the democratic process; and

57 (4) Such amendment is not intended to curtail the freedom  
58 of the press.

59 BE IT FURTHER RESOLVED that copies of this memorial be  
60 dispatched to the President of the United States, to the  
61 President of the United States Senate, to the Speaker of the  
62 United States House of Representatives, and to each member of  
63 the Florida delegation to the United States Congress.