

HCR 7055

2024

## 1 House Concurrent Resolution

2 A concurrent resolution applying to the Congress of  
3 the United States to call a convention for the sole  
4 purpose of proposing an amendment to the Constitution  
5 of the United States stating that the United States  
6 Congress shall make no law applying to the citizens of  
7 the United States that does not also equally apply to  
8 all United States Representatives, United States  
9 Senators, and all members of the federal legislative  
10 branch.

11  
12 WHEREAS, one of the fundamental underpinnings of a  
13 democracy is the rule of law; and

14 WHEREAS, in order for the rule of law to be respected and  
15 adhered to by the citizenry, it must be applied fairly and in  
16 an equal manner; and

17 WHEREAS, Section One of the Fourteenth Amendment to the  
18 United States Constitution reads in part "...nor shall any  
19 State deprive any person of life, liberty, or property, without  
20 due process of law; nor deny to any person within its  
21 jurisdiction the equal protection of the laws."; and

22 WHEREAS, the United States Supreme Court has held that the  
23 Due Process Clause of the Fifth Amendment to the United States  
24 Constitution requires equal protection under the laws of the  
25 federal government; and

26 WHEREAS, in spite of the Equal Protection Clause and the  
 27 Due Process Clause within the Constitution, over time the  
 28 United States Congress has chosen on a number of occasions to  
 29 exempt its members and the federal legislative branch from the  
 30 requirements of laws it has enacted that apply to all others  
 31 throughout the United States; and

32 WHEREAS, the United States Congress acknowledged this  
 33 issue and decided to address it in part by passing the  
 34 Congressional Accountability Act of 1995, which applied to  
 35 Congress and its agencies to adhere to the requirements of  
 36 several laws that it had previously exempted itself from; and

37 WHEREAS, at present, Congress and the federal legislative  
 38 branch remain exempt from the requirements of many laws  
 39 Congress has passed; and

40 WHEREAS, having laws passed by the United States Congress  
 41 apply differently to the general public versus members of  
 42 Congress and the federal legislative branch is a fundamental  
 43 unfairness under the rule of law, and violates the spirit of  
 44 the Constitution's Equal Protection and Due Process Clauses;  
 45 and

46 WHEREAS, under Article V of the United States  
 47 Constitution, on the application of the legislatures of two-  
 48 thirds of the several states, the Congress shall call a  
 49 Constitutional Convention for the purpose of proposing  
 50 amendments, NOW, THEREFORE,

51  
52 Be It Resolved by the House of Representatives of the State of  
53 Florida, the Senate Concurring:

54  
55 That the Legislature of the State of Florida applies to  
56 Congress, under Article V of the Constitution of the United  
57 States, to call a convention limited to proposing an amendment  
58 to the Constitution which would prohibit the United States  
59 Congress from making any law applying to the citizens of the  
60 United States that does not also equally apply to all United  
61 States Representatives, United States Senators, and all members  
62 of the federal legislative branch; and

63 That this application constitutes a continuing application  
64 in accordance with Article V until the legislatures of at least  
65 two-thirds of the states have made applications on the same  
66 subject.

67 BE IT FURTHER RESOLVED that this Legislature also proposes  
68 that the legislatures of the states comprising the United States  
69 apply to the Congress to call a constitutional convention for  
70 proposing such an amendment to the Constitution.

71 BE IT FURTHER RESOLVED that this concurrent resolution is  
72 revoked and withdrawn, nullified, and superseded to the same  
73 effect as if it had never been passed, and retroactive to the  
74 date of passage, if it is used for the purpose of calling a  
75 convention or used in support of conducting a convention to

HCR 7055

2024

76 | amend the Constitution of the United States with any agenda  
77 | other than to propose an amendment to the Constitution which  
78 | would prohibit the United States Congress from making any law  
79 | applying to the citizens of the United States that does not also  
80 | equally apply to all United States Representatives, United  
81 | States Senators, and all members of the federal legislative  
82 | branch.

83 |       BE IT FURTHER RESOLVED that copies of this application be  
84 | dispatched to the President of the United States, to the  
85 | President of the United States Senate, to the Speaker of the  
86 | United States House of Representatives, to each member of the  
87 | Florida delegation to the United States Congress, and to the  
88 | presiding officer of each house of the legislature of each  
89 | state.