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**SENATE JOINT MEMORIAL 8002**

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**State of Washington 67th Legislature 2021 Regular Session**

**By** Senators Kuderer, Hunt, Conway, Das, Dhingra, Lovelett, Muzzall, Nguyen, Robinson, Stanford, and Wilson, C.

TO THE HONORABLE JOSEPH R. BIDEN, JR., PRESIDENT OF THE UNITED STATES, AND TO THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, AND TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES, IN CONGRESS ASSEMBLED:

We, your Memorialists, the Senate and House of Representatives of the State of Washington, in legislative session assembled, respectfully represent and petition as follows:

WHEREAS, Congress and the several states have for many years exercised the authority to regulate and restrict the size of financial contributions to political candidates and ballot issues, to bar the anonymous use of such funds, and to require that individual candidates approve publicly the messages used on their behalf; and

WHEREAS, For decades the Supreme Court has eroded this authority under the excuse of equating the spending of money to influence elections to the protected right of free speech, and has extended these protected rights to incorporated and legal entities as if they were the equivalent of a natural person; and

WHEREAS, As a result, there has been a sudden and substantial increase in large financial contributions, in donations made and used anonymously, and in donations made to entities nominally separate from the candidates and outside their control to affect the state and federal elections in 2012, 2016, and 2020 and such contributions may reasonably be expected to grow in number and size; and

WHEREAS, Expenditures that are extremely large, expenditures that are made anonymously, and expenditures made by entities nominally separate from and outside the control of individual candidates threaten the integrity of the election process by diluting the voices of other donors, distorting public discourse, and diminishing the constitutionally protected right to vote; and

WHEREAS, The people of the state of Washington passed Initiative Measure No. 735 in 2016 asking the United States Congress to propose an amendment to address these problems and to date no collective action has been taken by the United States Congress in this regard;

NOW, THEREFORE, Your Memorialists respectfully petition that the Congress of the United States exercise the authority granted to it under Article V of the Constitution to pass and send to the several states for ratification an amendment to the Constitution to return to Congress and the legislatures of the states the authority to regulate the size and timing of contributions to election campaigns, whether made to candidates or to ballot measures, and whether such contributions are made directly to campaigns or to groups making independent expenditures related to such campaigns, the authority to distinguish between natural persons and other artificial entities created by law, including by prohibiting such entities from spending money to influence elections, and the authority to require timely public disclosure of the source and amount of all such contributions.

BE IT FURTHER RESOLVED, That if Congress does not propose a constitutional amendment satisfying the principles described herein by November 5, 2024, then this memorial constitutes a petition by the state of Washington, speaking through its legislature, and pursuant to Article V of the United States Constitution, to the Congress to call a limited convention for the exclusive purpose of proposing amendments, as prescribed previously herein, to the Constitution of the United States of America; and

BE IT FURTHER RESOLVED, That the State of Washington intends that this be a continuing application considered together with applications calling for a convention passed in the 2013-2014 Vermont legislature as R454, the 2013-2014 California legislature as Resolution Chapter 77, the 98th Illinois General Assembly as SJR 42, the 2014-2015 New Jersey legislature as SCR 132, the 2015-2016 Rhode Island legislature as HR 7670 and SR 2589, and all other passed, pending, and future applications until such time as two-thirds of the several states have applied for a convention for a similar purpose and said convention is convened by Congress; and

BE IT FURTHER RESOLVED, That this petition is specific as to its purpose and shall not be combined with a petition from any other state calling for an Article V convention for any other purpose nor shall it be combined with a petition from any other state calling for an Article V convention for all purposes; and

BE IT FURTHER RESOLVED, That this application is void, rescinded, and of no effect in the event that such a convention is not limited to such a specific and exclusive purpose; and

BE IT FURTHER RESOLVED, That the legislature of Washington state urges the legislatures of each of the several states comprising the United States of America issue similar petitions in order to build the consensus necessary to amend the United States Constitution; and

BE IT FURTHER RESOLVED, That copies of this Memorial be immediately transmitted to the Honorable Joseph R. Biden, Jr., President of the United States, the President of the United States Senate, the Speaker of the House of Representatives, the Majority Leader of the United States Senate, the Minority Leader of the United States Senate, the Minority Leader of the United States House of Representatives, and each member of Congress from the State of Washington.