

Senate Concurrent Resolution No. 1617

By Committee on Federal and State Affairs

1-15

1 A PROPOSITION to amend section 13 of article 2 of the constitution of
2 the state of Kansas; requiring a simple majority for passage of a
3 resolution to ratify any amendment to the constitution of the United
4 States or to make any application for congress to call a convention for
5 proposing amendments to the constitution of the United States.

6

7 WHEREAS, the federal district court of Kansas has held that the
8 provision of the Constitution of the State of Kansas requiring that $\frac{2}{3}$ of
9 the members of each legislative house approve a resolution to ratify any
10 amendment to the Constitution of the United States or to make
11 application for Congress to call a convention of the states is
12 unconstitutional because such provision violates Article V of the
13 Constitution of the United States.

14

Now, therefore:

15 *Be it resolved by the Legislature of the State of Kansas, two-thirds of the
16 members elected (or appointed) and qualified to the Senate and two-
17 thirds of the members elected (or appointed) and qualified to the
18 House of Representatives concurring therein:*

19 Section 1. The following proposition to amend the constitution of
20 the state of Kansas shall be submitted to the qualified electors of the state
21 for their approval or rejection: Section 13 of article 2 of the constitution
22 of the state of Kansas is hereby amended to read as follows:

23 **"§ 13. Majority for passage of bills.** A majority of the
24 members then elected (or appointed) and qualified of each house,
25 voting in the affirmative, shall be necessary to pass any bill.~~Two-
26 thirds (2/3) of the members then elected (or appointed) and
27 qualified in each house, voting in the affirmative, shall be
28 necessary~~, to ratify any amendment to the Constitution of the
29 United States or to make any application for congress to call a
30 convention for proposing amendments to the Constitution of the
31 United States."

32 Sec. 2. The following statement shall be printed on the ballot with
33 the amendment as a whole:

34 *"Explanatory statement.* This amendment would require only a
35 simple majority vote of each house of the state legislature to
36 pass a resolution to ratify any amendment to the Constitution

1 of the United States or to make any application for congress
2 to call a convention for proposing amendments to the
3 Constitution of the United States.

4 "A vote for this proposition would require only a simple
5 majority vote of each house of the state legislature to pass a
6 resolution to ratify any amendment to the Constitution of the
7 United States or to make any application for congress to call
8 a convention for proposing amendments to the Constitution
9 of the United States.

10 "A vote against this proposition would make no change to the
11 current requirement of a $\frac{2}{3}$ majority vote of each house of
12 the state legislature to pass a resolution to ratify an
13 amendment to the Constitution of the United States or to
14 make application to Congress to call a convention of the
15 states to propose amendments to the Constitution of the
16 United States."

17 Sec. 3. This resolution, if approved by two-thirds of the members
18 elected (or appointed) and qualified to the Senate and two-thirds of the
19 members elected (or appointed) and qualified to the House of
20 Representatives, shall be entered on the journals, together with the yeas
21 and nays. The secretary of state shall cause this resolution to be published
22 as provided by law and shall cause the proposed amendment to be
23 submitted to the electors of the state at the general election in November
24 in the year 2026, unless a special election is called at a sooner date by
25 concurrent resolution of the legislature, in which case the proposed
26 amendment shall be submitted to the electors of the state at the special
27 election.