

Senate Concurrent Resolution No. 1617

By Committee on Federal and State Affairs

1-15

A PROPOSITION to amend section 13 of article 2 of the constitution of the state of Kansas; ~~requiring~~ **providing that** a simple majority **is necessary** for passage of a resolution to ratify any amendment to the constitution of the United States or to make any application for congress to call a convention for proposing amendments to the constitution of the United States.

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

Now, therefore:

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

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

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

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

"Explanatory statement. This amendment would ~~require~~ **provide that** only a simple majority vote of each house of the

1 state legislature **would be necessary** to pass a resolution to
2 ratify any amendment to the Constitution of the United
3 States or to make any application for congress to call a
4 convention for proposing amendments to the Constitution of
5 the United States.

6 "A vote for this proposition would ~~require~~ **provide that** only a
7 simple majority vote of each house of the state legislature
8 **would be necessary** to pass a resolution to ratify any
9 amendment to the Constitution of the United States or to
10 make any application for congress to call a convention for
11 proposing amendments to the Constitution of the United
12 States.

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

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