



## 2023 South Dakota Legislature

# House Joint Resolution 5002

Introduced by: **Representative Jamison**

1 **A JOINT RESOLUTION, Applying to the United States Congress under Article V of the**  
2 **United States Constitution to call for a convention for proposing an**  
3 **amendment establishing congressional term limits.**

4 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF SOUTH  
5 DAKOTA, THE SENATE CONCURRING THEREIN:

6 **Section 1.** WHEREAS, the framers of the Constitution empowered state legislators to be  
7 guardians of liberty against future abuses of power by the federal government; and

8 **Section 2.** WHEREAS, the framers of the Constitution envisioned a part-time federal  
9 legislature comprised of citizen legislators who would retain and return to some other  
10 profession when not occupied by the business of the people; and

11 **Section 3.** WHEREAS, the United States ruled in U.S Term Limits, Inc. v. Thornton that the  
12 individual states cannot impose additional qualifications for prospective members of Congress  
13 that are not specified in the United States Constitution; and

14 **Section 4.** WHEREAS, it is the solemn duty of the states to protect the liberty of the people  
15 by proposing amendments to the United States Constitution through a convention of states  
16 authorized by Article V of the United States Constitution:

17 **Section 5.** NOW, THEREFORE, BE IT RESOLVED, by the House of Representatives of the  
18 Ninety-Eighth Legislature of the State of South Dakota, the Senate concurring therein, that  
19 the South Dakota Legislature hereby makes an application to the Congress of the United  
20 States, as provided by Article V of the United States Constitution, to call a convention solely  
21 for the purpose of proposing an amendment to the United States Constitution to establish a  
22 limit to the number of terms to which an individual may be elected to serve as a member of  
23 the United States House of Representatives and to establish a limit to the number of terms  
24 to which an individual may be elected to serve as a member of the United States Senate; and

1 **Section 6.** BE IT FURTHER RESOLVED, that the secretary of state is hereby to transmit copies  
2 of this application to the President and Secretary of the United States Senate; to the Speaker  
3 and Clerk of the United States House of Representatives; and to the Chairman of the Judiciary  
4 Committee of the United States House of Representatives. The secretary of state is directed  
5 to transmit copies of this application to the presiding officers of each of the legislative houses  
6 in the several states, requesting their cooperation; and

7 **Section 7.** BE IT FURTHER RESOLVED, that this application constitutes a continuing  
8 application in accordance with Article V of the United States Constitution until the legislatures  
9 of two-thirds of the several states have made applications to Congress to call a convention to  
10 establish a limit to the number of terms to which an individual may be elected to as a member  
11 of the United States House of Representatives and as a member of the United States Senate.  
12 This application shall be aggregated with the applications of the other states for the purpose  
13 of attaining the applications from the Legislatures of two-thirds of the several states necessary  
14 to require Congress to call a convention solely for the purpose of establishing term limits for  
15 members of the House or Representatives and the Senate. This application may not be  
16 aggregated with any other applications that seek a convention to address any other issue.