



## 2025 South Dakota Legislature

# House Joint Resolution 5002

Introduced by: **Representative** Rehfeldt

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 to the constitution establishing congressional term limits.**

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

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

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

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

15 **Section 5.** NOW, THEREFORE, BE IT RESOLVED by the House of Representatives of the One  
16 Hundredth Legislature of the State of South Dakota, the Senate concurring therein, that an  
17 application is hereby made to the Congress of the United States, as provided by Article V of  
18 the United States Constitution, to call a convention solely for the purpose of proposing an  
19 amendment to the United States Constitution establishing a limit on the number of terms to  
20 which an individual may be elected to serve as a member of the United States House of  
21 Representatives or the United States Senate; and

22 **Section 6.** BE IT FURTHER RESOLVED, that the secretary of state shall transmit copies of  
23 this application to the President and Secretary of the United States Senate; to the Speaker  
24 and Clerk of the United States House of Representatives; and to the chairmen of the Judiciary

1 Committee of the United States House of Representatives and the Judiciary Committee of the  
2 United States Senate. The secretary of state is directed to transmit copies of this application  
3 to the presiding officers of each of the legislative houses in the several states, requesting their  
4 cooperation; and

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