

SESSION OF 2023

**SUPPLEMENTAL NOTE ON HOUSE CONCURRENT  
RESOLUTION NO. 5008**

As Amended by House Committee on Federal  
and State Affairs

**Brief\***

HCR 5008, as amended, if adopted by a two-thirds majority of each chamber of the Kansas Legislature, serves as Kansas' application to Congress, under the provisions of Article V of the *U.S. Constitution*, for the purpose of calling a convention of the states. The convention would be limited to proposing amendments to the *U.S. Constitution* that impose fiscal restraints on the federal government, limit the power and jurisdiction of the federal government, and limit the terms of office for members of Congress and officials.

The resolution is a continuing application to Congress for the convention of the states until two-thirds of the state legislatures have applied to Congress on the same subject.

The resolution contains whereas clauses setting out legislative findings regarding the roles of the states and the federal government, particularly regarding amending the *U.S. Constitution* through a convention of the states under Article V and the authority under Article V allowing states to call for such convention. The resolution also contains a whereas clause citing the *Kansas Constitution* requirement for a two-thirds vote of each legislative chamber to make an application to Congress to call such a convention.

The resolution requires the Secretary of State to send an enrolled copy of the resolution to the President and Secretary of the U.S. Senate, the Speaker and the Clerk of

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\*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

the U.S. House of Representatives, the Kansas members of the U.S. House and Senate, and the presiding officers of the legislative chambers of each state.

## **Background**

The resolution was introduced by the House Committee on Federal and State Affairs at the request of Representative Will Carpenter.

### ***House Committee on Federal and State Affairs***

In the House Committee hearing on February 15, 2023, **proponent** testimony was provided by a representative of the Convention of States Action and three private citizens, stating a convention of the states is necessary to restore the balance of power between state and federal governments, to limit increasing debt, and to limit the term length of elected officials.

Written-only proponent testimony was provided by a representative of the Coffey County Board of Commissioners and ten private citizens.

A representative of Kansas Campaign for Liberty, provided **opponent** testimony. The opponent generally indicated the *U.S. Constitution* already has adequate limitations that need to be enforced, and a convention of the states would not necessarily remain tied to a single issue and could result in further erosion of state authority.

Written-only opponent testimony was provided by three private citizens.

No other testimony was provided.

The House Committee amended the bill to add a  
whereas clause concerning the authority of states to call a  
convention under Article V.

Convention of the States; *U.S. Constitution*; federal government; limitations