

As Amended by House Committee

Session of 2016

House Concurrent Resolution No. 5022

By Committee on Federal and State Affairs

2-2

1 A CONCURRENT RESOLUTION urging Congress to propose the
2 regulation freedom amendment to the United States
3 Constitution.

4

5 WHEREAS, The growth and abuse of federal regulatory authority
6 threaten our constitutional liberties, including those guaranteed by the
7 Bill of Rights in the First, Second, Fourth and Fifth Amendments of our
8 Constitution; and

9 WHEREAS, Federal regulators must be more accountable to elected
10 representatives of the people and not immune from such accountability;
11 and

12 WHEREAS, The United States House of Representatives has passed
13 with bipartisan support the REINS Act to require that Congress approve
14 major new federal regulations before they can take effect; and

15 WHEREAS, Even if enacted, a law may be repealed or waived by a
16 future Congress and President; and

17 WHEREAS, An amendment to the United States Constitution does not
18 require the President's approval and cannot be waived by a future
19 Congress and President: Now, therefore,

20 *Be it resolved by the House of Representatives of the State of Kansas,*
21 *the Senate concurring therein:* That the Kansas Legislature does hereby
22 urge the United States Congress to vote to propose the regulation freedom
23 amendment to the United States Constitution as follows:

24 "Whenever one quarter of the members of the United States House of
25 Representatives or the United States Senate transmits to the President
26 their written declaration of opposition to a proposed federal regulation, it
27 shall require a majority vote of the House of Representatives and the
28 Senate to adopt that regulation."; and

29 *Be it further resolved:* That the Secretary of State shall send an
30 enrolled copy of this resolution to each member of Congress, **the Kansas**
31 **congressional delegation and shall work with Kansas' legislative**
32 **leaders to send a copy to the legislative leaders in other states,**
33 **including** the Speaker of the House of Representatives and the President
34 of the Senate of every state legislature in the United States.