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## HOUSE CONCURRENT RESOLUTION

REQUESTING CONGRESS TO AMEND THE CONSTITUTION OF THE UNITED STATES TO PERMIT CONGRESS AND THE STATES TO REGULATE THE EXPENDITURE OF FUNDS BY CORPORATIONS ENGAGING IN POLITICAL SPEECH.

WHEREAS, free speech is an unalienable and inherent right of natural persons, recognized and protected by the First Amendment of the Constitution of the United States; and

WHEREAS, corporations are not natural persons, but rather legal entities granted conditional rights by society through legislative deliberations of Congress and the States; and

WHEREAS, the Supreme Court of the United States, in its five to four ruling on *Citizens United v. Federal Elections Commission*, took a radical departure from a century's worth of judicial precedent limiting corporate influence in the political process; and

WHEREAS, this decision threatens to invalidate decades of legislative deliberations of Congress and the States to restrict the excessive influence of corporate power; and

WHEREAS, the opinion of the four dissenting justices noted that corporations have special advantages not enjoyed by natural persons, such as limited liability, perpetual life, and favorable treatment of the accumulation and distribution of assets, which allows them to financially overwhelm the individual common person in the political process; and

WHEREAS, a ruling by the United States Supreme Court cannot be overturned by legislation; now, therefore,

BE IT RESOLVED that the Legislature of the State of Hawaii respectfully requests that the United States Congress pass and send to the states for ratification a constitutional amendment to clarify the distinction between the rights of natural persons and the rights of corporations, thereby preserving the power of Congress and the States to place appropriate limits on the ability of corporations to influence the outcome of elections through political expenditures; and

BE IT FURTHER RESOLVED that the Chief Clerk transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative in the Hawaii Congressional Delegation.