

2021 SESSION

ENROLLED

SENATE JOINT RESOLUTION NO. 314

Commending the Virginia Chapter of American Promise and Take Back Our Republic.

Agreed to by the Senate, January 21, 2021
Agreed to by the House of Delegates, January 25, 2021

WHEREAS, the Virginia Chapter of American Promise and Take Back Our Republic have worked diligently to uphold the ideals of the Virginia Declaration of Rights and protect the free speech and liberty of all Virginians by supporting the passage of a new amendment to the Constitution of the United States; and

WHEREAS, the Virginia Declaration of Rights, adopted 245 years ago, reads, "That all power is vested in, and consequently derived from, the people," and free speech is a right held by natural persons, recognized and protected by the First Amendment to the Constitution of the United States; the Virginia Chapter of American Promise, a cross-partisan advisory council, and Take Back Our Republic, a nonprofit organization with strong Virginia roots, have affirmed that these rights are held only by natural persons, not by corporations, unions, or other artificial entities; and

WHEREAS, the Virginia Chapter of American Promise and Take Back Our Republic have worked to secure these rights for all Virginians and all Americans, regardless of wealth or access to corporate, union, or other treasuries; money is property and not speech, and the United States Congress, state legislatures, and local legislative bodies should have the authority to regulate political contributions and expenditures to ensure power is vested in and derived solely from the people; and

WHEREAS, a series of Supreme Court decisions have struck down longstanding precedents prohibiting corporations and unions from spending unlimited amounts of money to influence the outcome of elections, disproportionately elevating the role of wealthy special interests in elections and diminishing the voices and influence of ordinary Americans, including those in Virginia; these rulings also limit the elaboration of state and federal anti-corruption and election spending laws; and

WHEREAS, as the birthplace of the first democratically elected legislative assembly in the Americas, the Commonwealth has a compelling interest in the stewardship of representative self-government, federalism, the integrity of the electoral process, and the political equality of natural persons; and

WHEREAS, spending by Super PACs, wealthy individuals, corporations, unions, and special interests have driven statewide spending on Virginia elections to historic levels, directly threatening the integrity of the election process, diluting the power of individual voters, and distorting public discourse and engagement with public policies; and

WHEREAS, in 2021, the Commonwealth celebrates the 50th anniversary of the revised Virginia Constitution, which in Article 1, Section 3 of the Bill of Rights, states that government is instituted for the common benefit, protection, and security of the people, nation, or community; and

WHEREAS, Article V of the Constitution of the United States empowers and obligates the people and states to use the constitutional amendment process to protect and defend the Constitution and to correct decisions of the Supreme Court of the United States that threaten the democracy, republican form of self-government, and political liberties of the United States; and

WHEREAS, the Virginia Chapter of American Promise, Take Back Our Republic, and private citizens of all backgrounds in Virginia have worked to build bipartisan consensus and preserve the Commonwealth's founding principles of free speech and independence by advancing a constitutional amendment authorizing the United States Congress and the states to set reasonable limits on the raising and spending of money by candidates and others to influence elections; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend the Virginia Chapter of American Promise and Take Back Our Republic for their work to uphold the ideals of the Virginia Declaration of Rights and protect the free speech and liberty of all Virginians by supporting the passage of a new amendment to the Constitution of the United States; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare copies of this resolution for presentation to Virginia Chapter of American Promise and Take Back Our Republic as an expression of the General Assembly's admiration for these organizations' commitment to equal rights, free speech, and good representation in government for all Virginians and all Americans.

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