

Amendment No. 118

Senate Amendment to Senate Joint Resolution No. 11	(BDR R-1047)
Proposed by: Senate Committee on Legislative Operations and Elections	
Amends: Summary: Yes Title: Yes Preamble: Amend Joint Sponsorship: No Digest: No	

ASSEMBLY ACTION			Initial and Date	SENATE ACTION			Initial and Date		
Adopted	☐	Lost	☐	_____	Adopted	☐	Lost	☐	_____
Concurred In	☐	Not	☐	_____	Concurred In	☐	Not	☐	_____
Receded	☐	Not	☐	_____	Receded	☐	Not	☐	_____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) *green bold italic underlining* is new language proposed in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill that is proposed to be retained in this amendment; and (6) *green bold underlining* is newly added transitory language.

KRO/HAC



Date: 4/5/2013

S.J.R. No. 11—Urges Congress to propose an amendment to the United States Constitution to allow regulation of independent political expenditures by corporations. (BDR R-1047)



SENATE JOINT RESOLUTION NO. 11—SENATORS SPEARMAN,
JONES AND PARKS

MARCH 18, 2013

JOINT SPONSORS: ASSEMBLYMEN DIAZ, ELLIOT ANDERSON, OHRENSCHALL, PIERCE;
AIZLEY, HOGAN, MUNFORD AND SWANK

Referred to Committee on Legislative Operations and Elections

SUMMARY—Urges Congress to propose an amendment to the United States Constitution to ~~allow regulation of~~ **restore the authority of the governments of the United States and individual states to regulate and restrict** independent political expenditures ~~by corporations.~~ (BDR R-1047)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

SENATE JOINT RESOLUTION—Urging Congress to propose an amendment to the United States Constitution to ~~allow~~ **restore the authority of the governments of the United States and the individual states to regulate and restrict independent political expenditures.** ~~by corporations.~~

WHEREAS, The growing influence of large ~~independent~~ political expenditures ~~by corporations~~ is a great and growing concern to the people of the United States and the State of Nevada; and

WHEREAS, In a democracy, the assurance of a fair and uncorrupted election process is of the utmost importance, and the Nevada Legislature believes that it is a legitimate and vital role of government to regulate ~~independent~~ political expenditures ~~by corporations~~; and

~~WHEREAS, In fulfillment of this important role, the government of the United States and a majority of states have regulated and restricted independent political expenditures by corporations; and~~

WHEREAS, The Supreme Court of the United States, in *Citizens United v. Federal Election Commission*, 558 U.S. 310 (2010), held that the First Amendment of the United States Constitution prohibits Congress and the states from banning independent political expenditures by corporations ~~by corporations~~ **, thus enabling corporations and unions to spend unlimited amounts of money on independent political expenditures for electioneering communications;** and

WHEREAS, ~~Citizens United overturned a long-standing precedent of restricting independent political expenditures by corporations.~~ **The United States Court of Appeals for the District of Columbia Circuit, in *SpeechNow.org v. Federal***

1 *Election Commission*, 599 F.3d 686 (D.C. Cir. 2010), cert. denied, 131 S. Ct. 553
2 (2010), held that, as a result of *Citizens United*, groups unaffiliated with a
3 candidate, commonly known as “super PACs,” may receive and spend
4 unlimited amounts of money on similar independent expenditures; and

5 WHEREAS, *Citizens United* has served as a precedent for further legal decisions
6 harming our democratic system of government, including *American Tradition*
7 *Partnership v. Bullock*, 132 S. Ct. 2490 (2012), which struck down a long-standing
8 Montana campaign finance law, denying a state the right to regulate independent
9 political expenditures by corporations in state elections; and

10 WHEREAS, The people of Nevada and all other states should have the power to
11 limit by law the influence of money in their political systems; and

12 WHEREAS, In the wake of *Citizens United*, there has been an exponential
13 increase in large independent political expenditures by corporations which threatens
14 the integrity of the elections process, corrupts our candidates, dilutes the power of
15 individual voters and distorts the public discourse; now, therefore, be it

16 RESOLVED BY THE SENATE AND ASSEMBLY OF THE STATE OF NEVADA, JOINTLY,
17 That the members of the 77th Session of the Nevada Legislature hereby urge the
18 Congress of the United States to propose support, work diligently towards the
19 passage of and vote at all stages to advance an amendment to the United States
20 Constitution to ~~allow~~ restore the authority of the governments of the United
21 States and the individual states to regulate and restrict ~~independent~~ political
22 expenditures ~~by~~ and to re-establish that the rights protected by the United
23 States Constitution are granted only to natural persons and not to corporations
24 ~~or~~ or other artificial entities created by a state; and be it further

25 RESOLVED, That the Secretary of the Senate prepare and transmit a copy of this
26 resolution to the Vice President of the United States as presiding officer of the
27 United States Senate, the Speaker of the House of Representatives and each
28 member of the Nevada Congressional Delegation; and be it further

29 RESOLVED, That this resolution becomes effective upon passage.