

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE RESOLUTION

No. 264 Session of
2012

INTRODUCED BY FERLO, BREWSTER, BOSCOLA, FARNESE, FONTANA,
TARTAGLIONE AND HUGHES, MARCH 16, 2012

REFERRED TO STATE GOVERNMENT, MARCH 16, 2012

A RESOLUTION

1 Opposing the majority opinion of the United States Supreme Court
2 in *Citizens United v. Federal Election Commission* and
3 supporting the "Saving American Democracy Amendment" to the
4 Constitution of the United States.

5 WHEREAS, On January 21, 2010, the United States Supreme Court
6 issued an opinion in the case of *Citizens United v. Federal*
7 *Election Commission*; and

8 WHEREAS, The court overruled precedent and held that
9 corporations have the same rights to freedom of speech as
10 natural persons under the First Amendment to the Constitution of
11 the United States, thereby establishing corporate personhood;
12 and

13 WHEREAS, The *Citizens United* decision allows corporations to
14 make unlimited, anonymous expenditures to support or oppose any
15 candidate for Federal, state or local elected office; and

16 WHEREAS, This practice is destructive to American democracy
17 and was never contemplated by the framers of the Constitution of
18 the United States; and

19 WHEREAS, The *Citizens United* decision threatens state

1 sovereignty and the compelling interest of states and local
2 governments to enact campaign finance reform laws; and

3 WHEREAS, The dissenting opinion in *Citizens United* correctly
4 stated that corporations "are not themselves members of 'We the
5 People' by whom and for whom our Constitution was established";
6 and

7 WHEREAS, On December 8, 2011, Senator Bernie Sanders of
8 Vermont introduced the "Saving American Democracy Amendment" to
9 the Constitution of the United States; and

10 WHEREAS, The amendment expressly excludes corporations from
11 the rights given to natural persons by the Constitution of the
12 United States, prohibits corporate spending in all elections and
13 affirms the authority of Congress and the states to set limits
14 on election contributions and expenditures; and

15 WHEREAS, A constitutional amendment is the most effective way
16 to overturn the *Citizens United* decision and its progeny;
17 therefore be it

18 RESOLVED, That the Senate of Pennsylvania hereby oppose the
19 majority opinion in *Citizens United* and support the "Saving
20 American Democracy Amendment."