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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE RESOLUTION

No. 212 Session of  
2023

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INTRODUCED BY MASTRIANO, HUTCHINSON AND ARGALL,  
NOVEMBER 28, 2023

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REFERRED TO STATE GOVERNMENT, NOVEMBER 28, 2023

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A RESOLUTION

1 Supporting an amendment to the Constitution of the United States  
2 to establish that election spending may be regulated to  
3 ensure that every resident may exercise the rights to free  
4 speech, political participation and meaningful  
5 representation, and to protect republican self-government and  
6 federalism.

7 WHEREAS, We the People have a compelling interest in  
8 fostering robust political debate and self-government, securing  
9 the liberty and political equality of our residents, guarding  
10 against corruption and advancing federalism and the interests of  
11 the several states; and

12 WHEREAS, Over the past few decades, the Supreme Court has  
13 gradually come to equate election spending with "free speech";  
14 and

15 WHEREAS, This spending has the potential to drown out speech  
16 rights for all residents, narrow debate, weaken federalism and  
17 self-governance in the states and increase the risk of systemic  
18 corruption; and

19 WHEREAS, The states and Congress should have the ability to  
20 enact reasonable regulations regarding this spending; and

1       WHEREAS, The framers wisely granted the states ultimate power  
2 to amend our Constitution where necessary to make it and our  
3 union ever more perfect and to protect and preserve self-  
4 government and liberty; therefore be it

5       RESOLVED, That the Senate of the Commonwealth of Pennsylvania  
6 support an amendment to the Constitution of the United States to  
7 establish that election spending may be regulated to ensure that  
8 every resident may exercise the rights to free speech, political  
9 participation and meaningful representation, and to protect  
10 republican self-government and federalism; and be it further

11       RESOLVED, That the people of Pennsylvania hereby call upon  
12 the United States Congress to propose and send to the states for  
13 ratification a Constitutional amendment to clarify that states  
14 may regulate the spending of money to influence elections in the  
15 states and that Congress may regulate the spending of money to  
16 influence Federal elections, and that in doing so the states and  
17 Congress may distinguish between natural persons and legally  
18 recognized entities; and be it further

19       RESOLVED, That a copy of this resolution be prepared and  
20 submitted to the Majority Leader of the United States Senate,  
21 the Minority Leader of the United States Senate, the Speaker of  
22 the United States House of Representatives, the Minority Leader  
23 of the United States House of Representatives and each member of  
24 Congress from Pennsylvania.