

SECOND REGULAR SESSION

HOUSE CONCURRENT RESOLUTION NO. 39

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE MAYHEW.

6617H.011

JOSEPH ENGLER, Chief Clerk

AN ACT

Relating to an application to Congress for the calling of an Article V convention of states to repeal the Sixteenth Amendment of the Constitution of the United States.

Be it enacted by the General Assembly of the state of Missouri, as follows:

2 **WHEREAS**, Article V of the Constitution of the United States requires a convention
3 to be called by the Congress of the United States for the purpose of proposing an amendment
4 to the Constitution upon application of two-thirds of the Legislatures of the several states; and

5 **WHEREAS**, the Founders of the United States of America who designed our
6 Constitution sought to balance and limit the power of the federal government against the
7 states and the federal income tax undermines the Constitution's arrangements for balancing
8 and limiting the federal government; and
9

10 **WHEREAS**, the Legislature of the State of Missouri favors a proposal and
11 ratification of an amendment to the U.S. Constitution, which shall repeal the Sixteenth
12 Amendment of the Constitution of the United States of America and declare that Congress
13 shall have no power to lay and collect taxes on incomes, from whatever source derived,
14 except in time of war declared by the Congress:
15

16 **NOW THEREFORE BE IT RESOLVED** that the members of the House of
17 Representatives of the One Hundred Third General Assembly, Second Regular Session, the
18 Senate concurring therein, hereby make an application to Congress, as provided by Article V
19 of the Constitution of the United States of America, to call a convention limited to proposing
20 an amendment to the Constitution of the United States of America to repeal the Sixteenth

21 Amendment and remove the power of the federal government to lay and collect taxes on
22 incomes; and

23

24 **BE IT FURTHER RESOLVED** that this application shall be considered as covering
25 the same subject matter as the applications from other states to Congress to call a convention
26 to repeal the Sixteenth Amendment and remove the power of the federal government to lay
27 and collect taxes on incomes, and this application shall be aggregated with the same for the
28 purpose of attaining the two-thirds of states necessary to require Congress to call a limited
29 convention on this subject but shall not be aggregated with any other applications on any
30 other subject; and

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32 **BE IT FURTHER RESOLVED** that the Chief Clerk of the Missouri House of
33 Representatives be instructed to prepare a properly inscribed copy of this resolution for the
34 President and Secretary of the United States Senate; the Speaker, Clerk, and Judiciary
35 Committee Chair of the United States House of Representatives; each member of the
36 Missouri Congressional Delegation; and the presiding officers of each of the legislative
37 houses in the several states requesting their cooperation.

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