

An Act to Promote Free and Fair Elections

BE IT ENACTED by the people of the state of Wyoming:

An Act Calling for an Amendment to the United States Constitution to Allow the People and Legislature to Enact Legislation Promoting Free and Fair Elections

Section 1: Declaration of findings and intent

The People of the State of Wyoming hereby find that:

(a) Article I, Sec. 2 of the Wyoming Constitution provides that “In their inherent right to life, liberty and the pursuit of happiness, all members of the human race are equal;”

(b) Article X, Sec. 2 of the Wyoming Constitution provides that “All powers and franchises of corporations are derived from the people and are granted by their agent, the government, for the public good and general welfare, and the right and duty of the state to control and regulate them for these purposes is hereby declared;”

(c) the United States Supreme Court decision in *Citizens United v. Federal Election Commission*, 558 U.S. 310 (2010), and other cases have allowed for the creation of Super PACs and other vehicles for accumulating and spending unlimited amounts of money from undisclosed donors in election campaigns for public office, resulting in unregulated campaign expenditures in unprecedented amounts;

(d) the people of Wyoming and the United States of America, and their legislative bodies, must have the authority to regulate political contributions and expenditures to secure our rights as equal citizens, human beings and States in the Republic;

(e) based on the American values of fair play, leveling the playing field and ensuring that all citizens, regardless of wealth, have an opportunity for their political views to be heard, there is a compelling reason to regulate political spending so that the voices of natural persons are not overwhelmed by corporate spending; and

(f) an amendment to the United States Constitution is required to insure that the Legislature of the State of Wyoming may enact proper campaign finance laws limiting or prohibiting political spending by non-human entities.

(g) the people of Wyoming would benefit from regular updates on the status of such an amendment from the State of Wyoming.

Section 2: Call for Congress to propose an amendment

The people of the State of Wyoming call upon the Congress of the United States of America to propose and send to the states for ratification an amendment to the United States Constitution specifying that the right of political speech is a right enjoyed only by natural

persons, and that the proposed amendment to the United States Constitution specify that Congress and state legislatures may regulate all moneys raised and spent for political purposes, whether from artificial persons or natural persons, including by prohibiting artificial persons from political spending.

Section 3: Alternative call for a limited Constitutional convention.

If Congress fails within six months after this law is adopted to propose an amendment as specified in section 2, the people of the State of Wyoming, pursuant to Article V of the United States Constitution, calls for a convention of the 50 States for the sole purpose of proposing an amendment to the United States Constitution to accomplish the purposes specified in Section 2.

Section 4: Official updates by the office of the Secretary of State of Wyoming

At least once per year, the Secretary of State shall prepare a report, and cause the report to be posted on the official website of the office, updating the Wyoming Legislature of the status of any amendment proposals relating to the subject matter of this initiative. The report shall include the following information:

- (a) whether an amendment called for by Section 2 has been proposed by Congress or a convention of states, and is thus waiting for ratification by the states.
- (b) whether the members of the Congressional Delegation from the state of Wyoming are cosponsors of any amendment proposals called for by Section 2 in the US Senate and House of Representatives.
- (c) a list and tally of the states currently calling for a convention to propose the amendment called for by Section 2.

Section 5: Time limitation

The provisions of this law shall expire upon the proposing of an amendment to the United States Constitution accomplishing the purposes specified in Section 2 above, regardless of whether that amendment is proposed by Congress or by a Constitutional convention called for that purpose. Accordingly, this law need not be codified in the Wyoming Statutes.

Section 6: Severability

The provisions of this Act shall be severable. If any of the above sections are declared unconstitutional by any court of competent jurisdiction, the unconstitutional paragraph shall be severed and the remainder of this Act shall be enforced to the fullest extent permitted by law.

Section 7: Effective Date

This Act shall be effective 90 days following certification of the election results passing this initiative.