

Frequently Asked Questions – Term Limits Convention

How do states initiate the Term Limits Convention?

Per Article V of the Constitution, 34 state legislatures must pass bills applying for the convention on the exclusive subject of congressional term limits. Once that number is reached, the applications are delivered to Congress and Congress is mandated to call the convention.

Will the Term Limits Convention open up the entire U.S. Constitution for revisions?

Absolutely not. The Convention is limited only to proposing an amendment that would impose term limits on members of Congress. The state applications prohibit all parties from proposing or ratifying anything that deviates from the subject at hand.

Article V says Congress “calls” a convention. Does this mean Congress can stifle the states’ demand for term limits?

No. The amendment-by-convention route was added to the Constitution because the framers believed Congress played too powerful a role in the amendment process. So, Congress does not have discretion to stop or modify the convention agenda after 34 states have applied for an amendment on the same subject.

If the state applications fail to cover the same subject, Congress also lacks the discretion to call a convention in spite of this hurdle. That’s why it’s important for each state to pass the same language, with a small degree of freedom for different drafting styles.

How will the term limits amendment get ratified?

Congress must designate either state legislatures or state conventions to ratify proposed amendments. If the latter is chosen, each state will hold an election to determine delegates to its ratifying convention.

How do states select their delegates to the Convention?

States are free to shape and enact their own laws governing delegate selection. Historically, the method most oft-used (though a convention has never been called) has been election by legislature.

What will happen at the Convention itself?

At the Convention, delegates from each state will propose and discuss congressional term limits amendments before taking an up or down vote. Each state delegation, regardless of delegate number, is counted as one vote.