

THE FLORIDA SENATE
2024 SUMMARY OF LEGISLATION PASSED
Committee on Fiscal Policy

HCR 7055 — Equal Application of the Law

by State Affairs Committee and Rep. Alvarez and others (SCR 7066 by Fiscal Policy Committee)

Congress has exempted itself from certain laws that are applicable to the other branches of government or the citizenry at large, such as the Federal Freedom of Information Act and certain provisions of the Whistleblower Act of 1989. In 1995, Congress passed the Congressional Accountability Act to apply certain laws to Congress to which they had previously exempted themselves. However, there remain federal laws from which Congress has exempted the federal legislative branch, either through not applying the laws to itself or not fully complying with their requirements.

Article V of the United States Constitution provides the specific process for amending the document. Congress may directly propose amendments to the Constitution, which is the method that has been used for each of the 27 amendments ratified since the Constitution went into effect. Alternatively, upon application by the legislatures of two-thirds of the states, Congress must call a convention for the purpose of proposing amendments. A proposed amendment goes into effect once ratified by the legislatures or state conventions of three-fourths of the states; the method of ratification being solely the choice of Congress.

The concurrent resolution constitutes the state's application to Congress under Article V of the U.S. Constitution to call a convention for the sole purpose of considering and proposing a constitutional amendment prohibiting Congress from making any law applying to the citizens of the U.S. that does not also equally apply to all U.S. Representatives and U.S. Senators, and all members of the federal legislative branch.

Upon signature of the Legislature's presiding officers, the concurrent resolution requires copies of the application to be dispatched to the U.S. President, the President of the U.S. Senate, the Speaker of the U.S. House of Representatives, each member of the Florida delegation to the U.S. Congress, and the presiding officer of each house of the legislature of each state.

Vote: Senate Adopted; House Adopted