



END CORPORATE RULE. LEGALIZE DEMOCRACY.

MOVE TO AMEND

Side-by-Side Comparison: Move to Amend's *We the People Amendment*, (HJR 54) and the Tester *Amendment* (SJR 3)

The comparisons contain all the language of each proposed amendment. Underlining does not appear in the originals but has been added for emphasis. Italics indicate differences between the two proposed amendments.

MTA's We The People Amendment HJR 54 Lead: Rep. Jayapal (Dem., WA) Introduced 04/10/2023

Section 1

"The rights and privileges protected and extended by the Constitution of the United States are the rights of natural persons only."

An artificial entity...established by the laws of any State, the United States, or any foreign state shall have no rights under the Constitution and are subject to regulation by the People, through Federal, State, or local law."

"The privileges of an artificial entity shall be determined by the People, through Federal, State, or local law, and shall not be construed to be inherent or inalienable."

Amendment clarifying authority of Congress to regulate corporations SJR 3, Lead: Sen. Tester (Dem. Montana) Introduced 1/23/2023

Section 1

"The rights enumerated in this Constitution and other rights retained by the people shall be the rights of natural persons."

Section 2

"As used in this Constitution, the terms 'people', 'person', and 'citizen' shall not include a corporation, a limited liability company, or any other corporate entity established by the laws of any State, the United States, or any foreign state."

Section 3

"A corporate entity described in section 2 shall be subject to such regulation as the people, through representatives in Congress and State representatives, may determine reasonable, consistent with the powers of Congress and the States under this Constitution."

*This provision is not equivalent to the corresponding provision in HJR 48 because:
--it does not include local law,
--by requiring that regulation must be reasonable and consistent this provision allows the Courts, including an extremely conservative Supreme Court, to substitute their judgment and strike down regulation*

Section 2

"Federal, State, and local government shall regulate, limit, or prohibit contributions and expenditures, including a candidate's own contributions and expenditures..."

"...to ensure that all citizens, regardless of their economic status, have access to the political process, and that no person gains, as a result of that person's money, substantially more access or ability to influence in any way the election of any candidate for public office or any ballot measure."

"Federal, State, and local government shall require that any permissible contributions and expenditures be publicly disclosed."

"The judiciary shall not construe the spending of money to influence elections to be speech under the First Amendment."

No equivalent provision.

No equivalent provision. "Dark Money" (political spending by organizations that don't have to disclose their donors) will continue to flow to unknown candidates and ballot measures.

No equivalent provision.

No equivalent provision. The Supreme Court would be free to re-define "speech" to further serve the interests of corporate entities and the super rich and/or frustrate other sections of this amendment.

Section 3

"This amendment shall not be construed to abridge the right secured by the Constitution of the United States of the freedom of the press."

Section 4

"Nothing in this article shall be construed to limit the rights enumerated in this Constitution and other rights retained by the people, which are unalienable."

This provision is broader than the language in Section 3 of HJR 48.