

A Proposal from the Children of Liberty – A Second Bill of Rights

The Preamble to The Second Bill of Rights

WE THE PEOPLE express a desire to prevent further misconstruction or abuse of powers by our government now add further declaratory and restrictive clauses to our great Constitution, extending the ground of public confidence in our Government and ensuring the beneficent ends of our institution.

RESOLVED by the Senate and House of Representatives of the United States of America, in Congress assembled, two thirds of both Houses concurring, that the following Articles be proposed to the Legislatures of the several States, as articles to the Constitution of the United States, all, or any of which Articles, when ratified by three fourths of the said Legislatures, to be valid to all intents and purposes, as part of the said Constitution and shall be known collectively as the Second Bill of Rights.

Article 1. Equality in Commerce

No person shall be denied equality of opportunity or access in commerce nor shall any commercial entity that provides public speech equality of opportunity or access.

Article 2. Privacy

Section 1

The right of the people to privacy in their persons, genetic materials, houses, vehicles, papers, communications, and effects, against unreasonable searches, seizures, and surveillances shall not be violated by the United States or any State, nor shall the privacy of the people engaged in commerce be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the time and place to be searched, content to be searched, and times to be surveilled.

Section 2

The necessary or incidental discard of genetic materials, papers, communications, and effects does not constitute a waiver of the right to privacy.

Section 3

No person shall be deprived of privacy by a person or commercial entity without prior consent nor shall any person be required to waive privacy to engage in commerce.

Section 4

The Congress shall have power to enforce this article by appropriate legislation.

Article 3. Organizations

Section 1

Corporations and like entities created by the United States or by any State are not persons and have only those rights specifically enumerated by law.

Section 2

The right of employees to organize shall not be denied or abridged by the United States or by any State nor shall the right of employees to strike be denied or abridged by the United States or by any State except by equitable mediation. If employees are required to pay dues or fees to an organization as a term of employment, the organization may not spend the mandatory dues or fees on partisan national or State elections. The right of government employees to strike may be restricted by Congress or state legislatures.

Section 3

The Congress shall have power to enforce this article by appropriate legislation.

Article 4. Voting

Section 1

The right of citizens of the United States to vote in equitable, free, open, and accessible elections shall not be denied or abridged nor shall any undue burden be placed on the manner of voting by the United States or by any State or persons.

Section 2

Election Day shall be a national holiday.

Section 3

The Congress shall have power to enforce this article by appropriate legislation.

Article 5. Elections

Section 1

Congress shall set the times and manner of holding elections at least three years prior to the day of elections. States shall set the places of holding elections.

Section 2

Congress shall appropriate money to fund all national elections and campaigns, establish a uniform election process within the States lasting no longer than one year for the President and six months for the Congress of the United States.

Section 3

The States shall apportion House districts within each of the several States using scientific principles and without regard to partisan outcomes.

Section 4

The person receiving a plurality of the popular vote as determined by the State in each House district shall receive one pledged Elector. If a person receives a majority of the popular vote in a State, then that person shall receive two pledged Electors otherwise the two persons having the highest number of popular votes shall receive one pledged Elector each. The Electors shall convene in the District of Columbia and cast their ballots and declare their popular vote totals in the presence of the President of the Senate and the Speaker of the House of Representatives. If no person shall receive a majority of votes, the person with the highest combined popular vote totals submitted by the several States, shall be the President. The Electors shall choose the Vice President using the same method prescribed for the President.

Article 6. Campaigns and Lobbyists

Section 1

No person shall directly or indirectly finance the election efforts of a person for national or state office, nor shall any person within the same four year period simultaneously finance efforts to influence the people regarding a petition and speak directly or indirectly to national or state office holders or government employees regarding the petition.

Section 2

Congress may set reasonable limits on the use of money to influence the people regarding a petition for a redress of grievances.

Section 3

The Congress shall have power to enforce this article by appropriate legislation.

Article 7. Term Limits

Section 1

No person shall be elected to the House more than nine times.

Section 2

No person shall be elected to the Senate more than three times, and no person who has been in the Senate for more than three years of a term to which some other person was elected Senator shall be elected to the Senate more than twice.

Section 3

No person shall serve on the same Court for longer than twenty four years.

Article 8. Age Limits

Section 1

No person shall be a Representative who shall not have attained to the age of thirty five years, and been seven years a citizen of the United States, and shall, when elected, be a resident of that District for seven years. No person shall be a Senator who shall not have attained to the age of forty years, and been nine years a citizen of the United States, and shall, when elected, be a resident of that State for nine years.

Section 2

No person except a natural born citizen of the United States shall be eligible to the Office of President; neither shall any person be eligible to that Office who shall not have attained to the age of forty five years, and been thirty years a resident within the United States.

Section 3

No person shall be a Judge, either of the Supreme or Inferior Courts, who shall not have attained to the age of forty five years, and been twenty years a citizen of the United States. The Judges, both of the Supreme and Inferior Courts, shall hold their offices during good Behavior and who shall not have been judged unfit by a majority of a court of their peers upon the testimony of two witnesses.

Article 9. Congressional Powers

Neither House shall make a rule that subverts majority rule. Either House, with concurrence of two fifths of its members, must vote on a bill. If the Senate fails to give advice and consent to a nomination of the President within six months of the nomination date, the nominee shall be appointed, in like manner as if advice and consent had been given. No preference shall be given to members of the Senate or the House of Representatives or employees of the government from the taxes, duties, imposts and excises or general welfare provisions of any Bill before either House.

Article 10. Presidential Powers

From the presidential election day as set by Congress until the end of the term of the President of the United States, the President of the United States may not declassify information, nominate or appoint, or change federal regulation except as provided by law. The President shall not appoint Judges of the Supreme Court nine months prior to the end of term.

Article 11. Budgeting

Section 1

Congress shall pass a biennium budget that begins on the first of January every odd numbered year and shall pass the biennium budget by the first of September every even numbered year. Should a new biennium budget fail to be enacted into law by the end of an even numbered year, the last biennium budget where total outlays did not exceed total receipts shall be the biennium budget and law in like manner as if passed by the House of Representatives and the Senate and signed by the President.

Section 2

Total outlays for any biennium budget shall not exceed total receipts unless three fifths of each House shall otherwise approve. No additional money shall be drawn from the Treasury nor collected through taxation outside of the biennium budget unless approved by two thirds of each House. Total receipts shall include all revenue of the United States Government except those derived from borrowing. Total outlays shall include all money drawn from the Treasury. The Congress may rely on scientific estimates of outlays and receipts.

Section 3

The President of the United States shall submit to the House of Representatives by the first of March of every even numbered year a proposed biennium budget and may rely on scientific estimates of outlays and receipts.

Section 4

The validity of the public debt of the United States, authorized by law, shall not be questioned and shall require no further authorization nor subject to further limits imposed by the Congress.

Section 5

This article shall take effect beginning the next even numbered year after ratification. Total outlays shall not exceed total receipts in the first biennium budget.

Article 12. Federalism

The United States may not compel any state to take legal action or adopt specific legislation without fully funding the actual cost of compliance except in matters that enforce constitutional liberties guaranteed to the People nor withhold or fail to allocate money for which the state would otherwise be eligible. This article shall not be interpreted to take precedence over Article VI, section two of this Constitution.