THE BOARD OF COUNTY COMMISSIONERS OF
SANTA FE COUNTY
RESOLUTION NO. 2019 -17

A RESOLUTION URGING CONGRESS TO CLARIFY THAT THE RIGHTS
PROTECTED UNDER THE UNITED STATES CONSTITUTION ARE THE RIGHTS
OF HUMAN BEINGS AND NOT THE RIGHTS OF ARTIFICIAL ENTITIES, AND
THAT GOVERNMENTS MAY AND SHALL REGULATE CAMPAIGN
CONTRIBUTIONS AND EXPENDITURES TO PROTECT THE PEOPLE FROM
CORRUPTION AND UNDUE OR DISPROPORTIONATE INFLUENCE IN
ELECTIONS AND GOVERNMENT; ASKING THAT CONGRESS PROPOSE A
CONSTITUTIONAL AMENDMENT TO PROVIDE SUCH CLARIFICATION

WHEREAS, neither the Constitution of the United States nor any of its several amendments
make any reference to corporations or other artificial, government-created entities, and the rights
set forth therein were originally conceived as inalienable rights belonging inherently to human
beings only; and

WHEREAS, the Supreme Court of the United States in a number of cases has held that the right
of free speech recognized in the Constitution also belongs to corporations and other artificial
entities; and

WHEREAS, the Supreme Court of the United States has also held that certain types of
regulation of campaign finance impossibly abridge the right of free speech of human beings,
corporations and artificial entities, thereby limiting the right of the People to regulate them
through Federal, State, or local law; and

WHEREAS, such Supreme Court decisions and lower court decisions predicated upon them
allow human beings, corporations, and other artificial entities to spend virtually unlimited
amounts of money in support of or against candidates and ballot measures, undercutting the
rights of citizens to prevent corruption and enjoy equal and meaningful participation in the
democratic process; and

WHEREAS, this undermines public confidence in the democratic process and democratic
institutions of our nation; and

WHEREAS, under Article V of the Constitution of the United States, the Congress, whenever
two-thirds of both Houses shall deem it necessary, shall propose amendments to said
Constitution;

NOW, THEREFORE, BE IT RESOLVED, that the County of Santa Fe, State of New Mexico,
hereby requests that Congress propose an amendment to the Constitution of the United States
that confirms that:
(1) The rights protected by the Constitution of the United States are rights belonging to human beings only;

(2) Any entity, including any organization or association of one or more persons, established or allowed by the laws of any State, the United States, or any Foreign State shall have no rights under said Constitution separate from the rights of its individual human members, and is subject to regulation by the people, through Federal, State, or local law;

(3) 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 have access to the political process, and that no person or entity gains, as a result of their access to or ownership of money, substantially more access or ability to influence in any way the election of any candidate for public office or any ballot measure;

(4) Federal, State, and local government shall require that such contributions and expenditures be publicly disclosed; and

(5) Such regulation and disclosure requirements enacted and performed in accordance with the intents and purposes of such an amendment shall not be construed as violative of said Constitution.

NOW BE IT FURTHER RESOLVED, that the County Clerk is directed to prepare copies of this resolution and transmit them to New Mexico’s Senators and Representatives in Congress and to the State Senators and Representatives in the New Mexico Legislature representing districts wholly or partially within the boundaries of Santa Fe County.

PASSED, APPROVED, AND ADOPTED ON THIS 29th DAY OF JANUARY, 2019

THE BOARD OF COUNTY COMMISSIONERS OF SANTA FE COUNTY

Anna T. Hamilton, Chair

ATTESTATION:

Geraldine Salazar, County Clerk

APPROVED AS TO FORM:

R. Bruce Fredrick, County Attorney