

Testimony Opposing HB443 (Art V Selection of Delegates)

Iva Hendon

Chairman and members of the committee, thank you for the opportunity to speak.

My name is Iva Hendon, I'm a member of the State Executive Committee. In February 2021 the Alabama GOP voted to rescind all calls for an Article V Convention. In agreement with that adopted resolution, of which I have given you a copy, I oppose HB443.

First, this bill is premature. Congress has not called an Article V convention, and there is currently no convention being organized. Passing legislation to regulate something that does not yet exist puts the cart before the horse.

Second, this bill is unnecessary. Article V of the U.S. Constitution gives states one role and one role only in the convention process: states may apply to Congress to call a convention. That is the full extent of the authority given to the states in the Constitution.

The Constitution does not authorize states to create laws governing delegates or commissioners, nor does it give states authority to control how a convention would operate. Article V says that Congress shall call the convention, meaning the convention itself is a federal process, not a state-run one.

Attempting to pre-determine how delegates would be selected or controlled assumes powers that are not granted to the states in the Constitution.

In short, this legislation attempts to regulate a process that has not been called, may never occur, and for which the Constitution gives states no rule-making authority beyond applying for the convention itself.

For these reasons, I respectfully ask the committee to vote no on HB443.

Thank you.