

H.J.Res. ____

****118th CONGRESS****

****2d Session****

****IN THE HOUSE OF REPRESENTATIVES****

****Mr. HARMON**** introduced the following joint resolution; which was referred to the Committee on the Judiciary

JOINT RESOLUTION

****Proposing an amendment to the Constitution of the United States to establish term limits for Members of Congress.****

****Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein),**** That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States within seven years after the date of its submission for ratification:

ARTICLE ____

****Section 1. Term Limitations****

No person who has served as a Representative in the House of Representatives for six full terms shall be eligible for election or appointment to the House of Representatives.

No person who has served as a Senator for two full terms shall be eligible for election or appointment to the Senate.

****Section 2. Partial Terms****

For purposes of this article, any person who has served more than one year of a term to which some other person was elected to the House of Representatives shall be considered to have served a full term. Any person who has served more than three years of a term to which some other person was elected to the Senate shall be considered to have served a full term.

****Section 3. Retroactive Application****

This article shall apply to terms of service completed before the ratification of this article. Terms of service completed before January 1, 1995, shall not be counted for purposes of this article.

****Section 4. Effective Date****

This article shall take effect on the first day of the first Congress that convenes more than one year after the date of ratification of this article.

****Section 5. Enforcement****

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

STATEMENT OF PURPOSE AND CONSTITUTIONAL AUTHORITY

****Purpose:**** This joint resolution proposes a constitutional amendment to establish term limits for Members of Congress, specifically limiting Representatives to six terms (twelve years) and Senators to two terms (twelve years). The amendment addresses concerns regarding the concentration of political power and the need for regular infusion of new perspectives in the legislative process.

****Constitutional Authority:**** Article V of the Constitution provides that Congress may propose amendments to the Constitution whenever two-thirds of both Houses deem it necessary. This joint resolution exercises that constitutional authority.

****Legislative History:**** This measure responds to the Supreme Court's decision in *U.S. Term Limits, Inc. v. Thornton* (1995), which held that states cannot impose congressional term limits without a constitutional amendment.

SECTION-BY-SECTION ANALYSIS

****Section 1**** establishes the core term limitations: six full terms for Representatives (twelve years maximum) and two full terms for Senators (twelve years maximum). This creates parity in maximum service length between both chambers while respecting their different term structures.

****Section 2**** addresses partial terms to prevent circumvention through strategic timing of resignations and appointments. The thresholds (one year for House, three years for Senate) represent more than half of each respective term length.

****Section 3**** provides retroactive application to current and former Members while establishing a reasonable baseline date of January 1, 1995, to avoid penalizing Members who served extensive terms under different expectations decades ago.

****Section 4**** establishes an implementation delay to allow for orderly transition and to respect the mandate of currently elected Members.

****Section 5**** grants Congress enforcement authority, consistent with standard constitutional amendment practice.

RATIONALE

The Framers of the Constitution envisioned a citizen legislature with regular rotation of membership. However, advantages of incumbency have created a professional political class that may be disconnected from the experiences of ordinary citizens. Term limits would:

1. Encourage fresh perspectives and innovative approaches to governance
2. Reduce the influence of special interests that build relationships over extended tenure
3. Promote competitive elections by eliminating extreme incumbency advantages
4. Align Congress more closely with the Framers' vision of citizen legislators
5. Create incentives for Members to focus on governing rather than re-election

The twelve-year limit for both chambers provides sufficient time for Members to develop expertise and effectiveness while ensuring regular renewal of congressional membership.

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