

118TH CONGRESS
2D SESSION

S. J. RES. 108

Proposing an amendment to the Constitution of the United States to reaffirm the principle that no person is above the law.

IN THE SENATE OF THE UNITED STATES

AUGUST 1, 2024

Ms. HIRONO (for herself, Mr. SCHUMER, Ms. BUTLER, Mr. CARPER, Mrs. SHAHEEN, Mr. WHITEHOUSE, Mr. SANDERS, Mr. BLUMENTHAL, Mr. BOOKER, Mrs. GILLIBRAND, Mr. COONS, Mr. WELCH, Ms. KLOBUCHAR, Mr. KING, Mr. MERKLEY, Mr. VAN HOLLEN, Ms. STABENOW, Mr. SCHATZ, Mr. DURBIN, Mr. PETERS, Mr. PADILLA, Mr. CASEY, Mr. MARKEY, Ms. WARREN, Ms. SMITH, Ms. DUCKWORTH, Ms. CORTEZ MASTO, Ms. ROSEN, and Ms. CANTWELL) introduced the following joint resolution; which was read twice and referred to the Committee on the Judiciary

JOINT RESOLUTION

Proposing an amendment to the Constitution of the United States to reaffirm the principle that no person is above the law.

1 *Resolved by the Senate and House of Representatives*
2 *of the United States of America in Congress assembled*
3 *(two-thirds of each House concurring therein), That the fol-*
4 *lowing article is proposed as an amendment to the Con-*
5 *stitution of the United States, which shall be valid to all*
6 *intents and purposes as part of the Constitution when*

1 ratified by the legislatures of three-fourths of the several
2 States:

3 “ARTICLE —

4 “SECTION 1. ACCOUNTABILITY TO THE LAW. The
5 Government established by this Constitution is a govern-
6 ment of laws. Subject to the provisions of the first clause
7 of section 6 of article I, every person holding a position
8 of authority under the United States, including the Presi-
9 dent and the Vice President, is accountable to the law for
10 their actions, both official and unofficial; every such per-
11 son is liable to prosecution and punishment in the ordinary
12 course of law. Laws of general applicability shall be inter-
13 preted as applicable to the President unless otherwise
14 specified.

15 “SECTION 2. ENFORCEMENT. This article is self-exe-
16 cuting. Congress shall have plenary power to make all nec-
17 essary rules and regulations designed to ensure the gen-
18 eral applicability and enforcement of criminal laws, includ-
19 ing by tolling the statute of limitations applicable to a vio-
20 lation of the law by an incumbent President for the dura-
21 tion of the term of office of the President.”.

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