

House Engrossed

constitutional convention; faithless delegates

State of Arizona
House of Representatives
Fifty-seventh Legislature
Second Regular Session
2026

HOUSE BILL 2908

AN ACT

AMENDING TITLE 41, CHAPTER 7, ARTICLE 1, ARIZONA REVISED STATUTES, BY
ADDING SECTION 41-1108; RELATING TO CONSTITUTIONAL AMENDMENTS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 41, chapter 7, article 1, Arizona Revised
3 Statutes, is amended by adding section 41-1108, to read:

4 41-1108. Constitutional convention; state delegates;
5 violation; classification; oath; definitions

6 A. ANY APPROVED AMENDMENT TO THE UNITED STATES CONSTITUTION SHALL
7 BE RATIFIED BY A BILL PASSED BY THE LEGISLATURE AND APPROVED BY THE
8 GOVERNOR.

9 B. A PERSON IN THIS STATE WHO IS A FAITHLESS CONSTITUTIONAL
10 CONVENTION DELEGATE IS GUILTY OF A CLASS 2 FELONY AND IS SUBJECT TO A
11 CIVIL PENALTY OF AT LEAST \$5,000. A FAITHLESS CONSTITUTIONAL CONVENTION
12 DELEGATE SHALL BE IMMEDIATELY RECALLED FROM THE DELEGATION.

13 C. ANY DELEGATE OF THIS STATE SHALL TAKE THE FOLLOWING OATH OF
14 OFFICE BEFORE ACCEPTING THE DELEGATE'S APPOINTMENT:

15 I, _____, DO SOLEMNLY SWEAR OR AFFIRM THAT TO THE BEST
16 OF MY ABILITIES, I WILL, AS A DELEGATE TO A CONVENTION FOR
17 PROPOSING AN AMENDMENT TO THE UNITED STATES CONSTITUTION,
18 UPHOLD THE CONSTITUTION AND LAWS OF THE UNITED STATES AND THE
19 STATE OF ARIZONA.

20 I WILL NOT VOTE TO ALLOW CONSIDERATION OF OR TO APPROVE
21 ANY AMENDMENT PROPOSED FOR RATIFICATION TO THE UNITED STATES
22 CONSTITUTION THAT IS UNRELATED TO THE SPECIFIED SUBJECT OR
23 SUBJECTS OF THE APPROVED CALL OF THE CONVENTION FROM CONGRESS
24 AND FROM NOT LESS THAN TWO-THIRDS OF THE STATES THAT SUBMITTED
25 APPLICATIONS. I WILL ALSO ABIDE BY ANY OTHER INSTRUCTIONS
26 FROM THE LEGISLATURE OF THE STATE OF ARIZONA IF THE
27 INSTRUCTIONS ARE NOT CONTRARY TO THE SUBJECT MATTER THAT WAS
28 SPECIFIED BY CONGRESS AND NOT LESS THAN TWO-THIRDS OF THE
29 STATES.

30 I ACKNOWLEDGE THAT ANY VIOLATION OF THIS OATH SHALL
31 RESULT IN BEING IMMEDIATELY RECALLED BY THE LEGISLATURE OF THE
32 STATE OF ARIZONA OR ITS AUTHORIZED COMMITTEE, SUBJECT TO CIVIL
33 PENALTY OF AT LEAST \$5,000 AND GUILTY OF A CLASS 2 FELONY.

34 D. A DELEGATE WHO IS AWARE OF ANY VIOLATION OF THE OATH OR ANY
35 OTHER VIOLATION BY A DELEGATE SHALL REPORT THE VIOLATION TO THE ATTORNEY
36 GENERAL, THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF
37 REPRESENTATIVES.

38 E. FOR THE PURPOSES OF THIS SECTION:

39 1. "DELEGATE" MEANS A MEMBER OF A DELEGATION OR AN ALTERNATE TO THE
40 DELEGATION TO A CONSTITUTIONAL CONVENTION WHO HAS BEEN ELECTED, APPOINTED
41 OR SELECTED FOR THAT POSITION.

1 2. "FAITHLESS CONSTITUTIONAL CONVENTION DELEGATE" MEANS A PERSON
2 WHO IS A DELEGATE TO A CONSTITUTIONAL CONVENTION AND WHO KNOWINGLY CASTS A
3 VOTE OR TAKES ANY OFFICIAL ACTION IN FURTHERANCE OF SUBJECT MATTER THAT
4 DIFFERS FROM THE LEGAL CONVENTION SCOPE.

5 3. "LEGAL CONVENTION SCOPE" MEANS THE SUBJECT MATTER THAT HAS BEEN
6 SPECIFIED IN THE APPLICATION FOR A CONVENTION OF STATES BY NOT LESS THAN
7 TWO-THIRDS OF THE STATES IN THEIR CALLS FOR A CONVENTION OF THE STATES, IN
8 THE CALL FOR THE CONVENTION OF STATES FROM CONGRESS AND BY THE LEGISLATURE
9 OF THIS STATE IN ITS APPLICATION FOR A CONVENTION OF STATES.

10 Sec. 2. Severability

11 If a provision of this act or its application to any person or
12 circumstance is held invalid, the invalidity does not affect other
13 provisions or applications of the act that can be given effect without the
14 invalid provision or application, and to this end the provisions of this
15 act are severable.