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26 corporations have authority which exceeds the authority of the people of the  
27 United States; and

28 **WHEREAS**, state law already protects the legitimate functions of  
29 corporations to act as one entity, to transact business, to own property, to sue and  
30 be sued in a court of law, and to enter into contracts – none of which functions  
31 require constitutional rights; and

32 **WHEREAS**, the Supreme Court justices’ illegitimate bestowal of civil and  
33 political rights upon corporations usurps basic human and Constitutional rights  
34 guaranteed to human persons and also empowers corporations to sue municipal and  
35 state governments for passing laws that violate “corporate rights” even when those  
36 laws serve to protect and defend the rights of human persons and communities; and

37 **WHEREAS**, large corporations’ profits and survival are often in direct  
38 conflict with the essential needs and rights of human beings; and

39 **WHEREAS**, the 2010 *Citizens United v. the Federal Election Commission*  
40 Supreme Court decision that rolled back the legal limits on spending in the  
41 electoral process creates an unequal playing field and allows unlimited spending by  
42 wealthy individuals, corporations, and other entities to influence elections,  
43 candidate selection, and policy decisions; and

44 **WHEREAS**, the judicial interpretation to construe spending money in  
45 political campaigns as speech is contrary of the notion of one person, one vote and  
46 allows those with the most money to have an unfair advantage in a political system  
47 that should ensure all citizens have equal access to the political process and to  
48 influencing election outcomes; and

49 **WHEREAS**, money is property, not speech; and

50           **WHEREAS**, harms resulting from corporate constitutional rights extend  
51 beyond simply First Amendment political “free speech” rights to spend money in  
52 politics and elections to include the First Amendment corporate right “not to  
53 speak,” which has prevented local and state governments from passing laws  
54 protecting the health, safety, and welfare of residents; and

55           **WHEREAS**, this interpretation has in some cases granted corporations  
56 Fourth Amendment corporate “search and seizure” rights, which have limited  
57 public workplace and environmental safety inspections; Fifth Amendment  
58 corporate “takings” rights, which have defined environmental regulations as a  
59 “taking” of property; and Fourteenth Amendment due process and equal protection  
60 rights, which have given corporate entities the legal defense of “discrimination” if  
61 governments provide preferential treatment to local businesses over “chain stores”;  
62 and

63           **WHEREAS**, corporations have also gained greater economic and political  
64 power by using the U.S. Constitution’s Contract and Commerce Clauses to  
65 invalidate local and state laws, defying the public’s right to decide locally how best  
66 to protect and expand the health, safety, and welfare of their communities; and

67           **WHEREAS**, in 2014 City Council added language to the City’s legislative  
68 agenda calling for “a Constitutional Amendment and/or other legislative actions  
69 ensuring that money is not considered speech, and therefore the expenditure of  
70 money to influence the electoral or legislative process as a form of constitutionally  
71 protected speech, and shall be regulated”; and

72           **WHEREAS**, tens of thousands of people and municipalities across the  
73 nation are joining with the “Move to Amend” campaign to call for an amendment  
74 to the U.S. Constitution to abolish corporate personhood and the doctrine of money  
75 as speech; **NOW, THEREFORE**,

76 **BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN**

77 City Council reaffirms its support of such a constitutional amendment and  
78 hereby calls on our state and federal representatives to join the tens of thousands of  
79 citizens, grassroots organizations, and local governments across the country in the  
80 “Move to Amend” campaign to call for a constitutional amendment to abolish  
81 corporate personhood and the doctrine of money as speech in a step toward  
82 empowering America’s human persons and claiming our sovereign right to self-  
83 governance.

84 **BE IT FURTHER RESOLVED:**

85 City Council calls on other communities and jurisdictions to join with us in  
86 this action by passing similar resolutions.

87 **BE IT FURTHER RESOLVED:**

88 City Council supports education to increase public awareness of the threats  
89 to our democracy posed by corporate personhood and encourages lively discussion  
90 to build understanding and consensus to take appropriate community and  
91 municipal actions to respond democratically to these threats.

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93  
94 **ADOPTED:** \_\_\_\_\_, 2022

**ATTEST:** \_\_\_\_\_

Myrna Rios  
City Clerk