MODEL CORPORATE POWER RESET CONSTITUTIONAL AMENDMENT
AND MODEL BALLOT STATEMENTS — FINAL, AUGUST 20, 2026

Section __. Powers of artificial persons.

(1) The State grants to an artificial person only artificial-person powers. The State does not confer political spending power, and no law of this State may confer or be construed to confer that power, except as provided in subsection (4).

(2) As used in this section:

(a) “Artificial person” means an entity or legal arrangement whose existence, legal status, or limited liability is conferred by the laws of this State, including an entity or legal arrangement organized or existing under the laws of another jurisdiction that is authorized to transact business, is otherwise transacting business, or holds property in this State. An entity or legal arrangement organized or existing under the laws of another jurisdiction that directly or indirectly undertakes, finances, or directs acts constituting an exercise or purported exercise of political spending power in this State is deemed to be transacting business in this State for purposes of jurisdiction and enforcement under this section.

“Artificial person” does not include the State, an agency, authority, or political subdivision of the State, or a public body corporate and politic of this State expressly identified as such by statute.

(b) “Artificial-person powers” means the powers necessary or convenient for an artificial person to carry out lawful business, charitable, cooperative, or organizational purposes under the laws of this State, excluding political spending power. Political spending power may not be deemed necessary or convenient under any circumstances.

(c) “Charter privilege” means a legal benefit that exists only because the State confers it on an artificial person, including limited liability, perpetual duration, succession in entity name, or a statutory limitation on personal liability.

(d) “Political spending power” means the legal capacity to, directly or indirectly, pay, contribute, expend, transfer, or disburse money or anything of value to support or oppose:

(i) a candidate, political party, or political committee in any election; or

(ii) an initiative, referendum, recall, constitutional amendment, charter amendment, or other question that has been certified, approved, authorized, or otherwise made eligible for circulation for signature, or that has been qualified, certified, submitted, or otherwise presented to the electors of any jurisdiction.

The term does not include the legal capacity to:

(i) gather, prepare, produce, publish, broadcast, host, disseminate, or distribute a news story, commentary, or editorial through the facilities of a broadcasting station or of a print, online, or digital newspaper, magazine, blog, or other periodical publication, unless the facility is owned or controlled by a candidate, political committee, or political party;

(ii) determine whether to endorse a candidate or ballot measure;

(iii) use resources to communicate an endorsement to members, shareholders, employees, or officers, including through organizational members;

(iv) use de minimis resources to communicate an endorsement to the general public, provided that, in the case of a candidate endorsement, the public communication of the endorsement is not coordinated with the candidate, the candidate's committee, or their agents;

(v) communicate with members, shareholders, employees, or officers, including through organizational members, regarding a candidate, political party, political committee, or ballot measure, provided that the artificial person does not distribute, republish, promote, or otherwise make the communication available to the general public;

(vi) use resources for the establishment, administration, or solicitation of contributions to a political committee, to the extent permitted under the campaign finance laws governing that political committee; or

(vii) support or oppose a measure before the measure has been certified, approved, authorized, or otherwise made eligible for circulation for signature or, if circulation for signature is not required, before the measure is submitted to the electors.

(3) The State grants no political spending power to an artificial person formed under its laws. That absence is not a rule of place; it is an attribute of the artificial person, carried wherever the artificial person acts. Within this State, the State grants no political spending power to any artificial person, wherever organized. As to political spending power, an artificial person organized under the laws of another jurisdiction has, within this State, no greater and no lesser powers than an artificial person formed under this State's laws. Nothing in this section defines, limits, or affects the capacity of an artificial person organized under the laws of another jurisdiction to exercise political spending power directed at the elections or ballot measures of a jurisdiction other than this State.

(4) Political spending power may be exercised by a political committee registered with the appropriate campaign finance authority and subject to the reporting requirements applicable to political committees under the laws of this State or under federal law, as provided by those laws.

(5) An exercise or purported exercise of political spending power by an artificial person to which the State has not granted that power is ultra vires and void and results in forfeiture of charter

privileges conferred by this State, subject to reinstatement under procedures the legislature may enact.

(6) Political spending power not granted by this section may not be revived, reinstated, recognized, or implied by operation of law or judicial construction.

(7) If a provision of this section, or its application to a person or circumstance, is held invalid, the remaining provisions and applications that are severable remain in effect. No provision of this section, and no other provision of law, may be construed, severed, or applied to confer, recognize, revive, reinstate, or imply political spending power in an artificial person. If invalidation of a provision would otherwise result in an artificial person acquiring, retaining, reviving, or being deemed to possess political spending power, the grant, recognition, extension, or preservation of powers, privileges, or capacities to the affected class of artificial persons is inseverable from the invalid provision and has no force or effect. The people would not have adopted a grant of artificial-person powers that includes political spending power.

(8) This section is self-executing.

MODEL BALLOT STATEMENTS

Three lengths. Use the longest the jurisdiction permits. Where the Attorney General or Secretary of State writes the official title and summary, these serve as proponent submissions and campaign copy.

Base form — 156 words

CONSTITUTIONAL AMENDMENT NO. ___

A CONSTITUTIONAL AMENDMENT PROPOSED BY INITIATIVE PETITION

Amendment ___ would add a section to the [State] Constitution defining the powers the State grants to corporations and other artificial persons. It does not affect the rights of natural persons. It provides that those powers do not include political spending power, the capacity to spend or transfer money or things of value to support or oppose candidates, political parties, political committees, or ballot measures. The amendment preserves specified news and editorial activity, endorsements, communications with members and employees, limited public communications, establishing and administering political committees and soliciting contributions to them, and activity concerning ballot measures before they qualify. Political committees registered and reporting under State or federal law may exercise political spending power as provided by law. Acts outside the powers granted are ultra vires and void and result in forfeiture of state-conferred charter privileges. The amendment applies to artificial persons formed in the State and, within the State, to artificial persons formed elsewhere.

100-word cap form — 98 words (Montana)

Amendment ___ would add a section to the [State] Constitution defining the powers the State grants to corporations and other artificial persons. It does not affect the rights of natural persons. Those powers would not include political spending power, the capacity to spend money or anything of value to support or oppose candidates, parties, political committees, or ballot measures. News and editorial activity, endorsements, communications with members and employees, and establishing and administering political committees remain outside that power. Registered political committees may spend as provided by law. Acts outside those powers are void and forfeit charter privileges.

75-word cap form — 74 words (Florida)

Amendment ___ would define the powers the State grants to corporations and other artificial persons. Natural persons keep their rights. Those powers would not include political spending power: the capacity to spend money or anything of value supporting or opposing candidates, parties, committees, or ballot measures. News, endorsements, member communications, and establishing political committees remain outside it; registered committees may spend as law allows. Acts outside those powers are void and forfeit charter privileges.

[ ] YES on Constitutional Amendment ___   [ ] NO on Constitutional Amendment ___