THE CORPORATE POWER RESET

Model Constitutional Amendment — Annotated

Center for American Progress
August 2026

This document reproduces the August 2026 model text of the Corporate Power Reset constitutional amendment in full, together with the model ballot statements, with an annotation beside each provision. It is the companion to the annotated model bill; where the two documents differ, the annotations here explain why. The two instruments are not alternatives in every state. A state can sensibly adopt both — the amendment supplying the rank, the statute supplying the machinery — and the amendment is deliberately thin on administration; see the annotation to subsection (5).

The doctrinal posture

The amendment operates in the power-granting domain. States create artificial persons and define the powers those entities receive; that authority is just about absolute, and no artificial person holds a vested right in the continuation of any grant. Every campaign-finance case in the First Amendment line — *Bellotti* through *Citizens United* — involved an entity that walked into the courthouse possessing the legal capacity to spend and a government that tried to restrict the use of that capacity.

This amendment addresses the antecedent question those cases never reached: whether the capacity exists at all. No campaign-finance case has ever involved an entity lacking political spending power from the outset. It is not regulation, it is definition. What has not been granted cannot be abridged.

What changes at constitutional rank is the identity of the grantor, not the character of the act. A statute is the legislature defining the powers of the State's creatures. An amendment adopted by initiative is the people doing it directly, in their constitutive capacity, without the intermediary they ordinarily delegate the work to. That is the strongest posture the move can be made from.

Placement

This belongs in the article of the state constitution dealing with corporations, or, failing that, in general or miscellaneous provisions. Not in the declaration or bill of rights. The reason is the same one that keeps the model bill out of the election title: placement describes character, and a provision sitting among the rights guarantees invites the reading that it operates on rights. It does not. It defines the powers of entities the State creates.

Many state constitutions already carry a corporations article containing reserved-power language — the authority to alter, amend, or repeal charters and grants. Where that is so, put the amendment beside it. The adjacency is an interpretive asset: the new section reads as an exercise of an authority the constitution already announces, not as an innovation.

Initiative mechanics

This is the set of problems the statutory model never faces, and counsel should work through it before circulation begins rather than after.

Single subject. The amendment is built as one subject — the powers of artificial persons — with the definitions, the exclusions, and the remedial provisions all ancillary to it. That is a defensible position and it is the position to take. It is not a costless one. Florida enforces the strictest citizen-initiative single-subject rule in the country and enforces it before the election; Oregon's separate-vote requirement asks whether a measure works more than one substantive change to the constitution. Counsel in those states should be ready to explain why each subsection is ancillary rather than independent, and should consider whether a leaner core is worth the loss in precision.

Revision versus amendment. A few states distinguish amendments, which the initiative may reach, from revisions, which it may not. Nothing here alters the structure of government, but the question should be answered rather than assumed.

Ballot title and summary. In many states the Attorney General or Secretary of State writes the official title and summary and the proponent does not. The model ballot statements at the end of this document are drafted for the states where the proponent submits, and they serve as campaign copy everywhere else. Either way, treat every verb in them as text a court may compare against the operative provisions.

Vocabulary

The verbs are chosen carefully and the choices carry weight. In the State's voice the amendment grants, defines, withholds, and declines to confer — not restricts, prohibits, bans, regulates, or limits. Where the text must describe an entity acting beyond its powers, in subsection (5), it uses the grammar of ultra vires, which is older than campaign-finance law by a century and a half.

Where the model text says an entity is granted no political spending power, resist any urge to redraft as “may not spend.” The first states an attribute of the entity, the second reads as a conduct prohibition, and the two sit in different remedial universes: a prohibition can be enjoined and the spending resumes; an absence of capacity leaves nothing for an injunction to restore. In an initiative campaign the pressure to switch registers is constant, because prohibition language polls well. It should be resisted in the text and indulged nowhere except, carefully, in advocacy.

One pairing does specific work and should survive every round of tightening. An entity acting beyond its powers is described as exercising or purporting to exercise political spending power, and the second half is not redundancy. Voidness would otherwise immunize the conduct it describes: told that it exercised a power it does not hold, an entity can answer that it did no such thing — whatever it did was void from the start, and a nullity is not an exercise. Naming the attempt closes that circle, so consequences attach to what the entity set out to do rather than to whether the law gave the attempt effect. Legislative counsel will read the pair as belt-and-suspenders and reach for the pencil. It isn’t, and they shouldn’t.

Universality

The amendment reaches every entity type the State charters or admits — business corporations, nonprofits, LLCs, unions, partnerships with state-conferred status, cooperatives, trusts, all of it — and carves out no favored class. That is structural, not stylistic. A carve-out for a sympathetic speaker risks converting a uniform definition of entity powers into speaker-based discrimination, with the heightened scrutiny that follows. Universality is the armor. The one exclusion, for governmental bodies, is not a carve-out from a class; it is a statement that they were never in it.

One provision will look like an exception and is not. Subsection (4) leaves political spending power with registered, reporting political committees. That is not a favored class of artificial person carved out of the definition; it is the single channel through which the capacity continues to exist in the world, and the door is open to everyone — any artificial person may establish and administer a committee under (2)(d)(vi). Universality governs who is subject to the definition, and every artificial person is. Locating a capacity is not the same as exempting a speaker.

What must survive adaptation

Nearly everything here can flex to local practice — defined terms, cross-references, procedural vocabulary, numbering. The indispensable core is three moves, made in order: define political spending power (subsection (2)(d)); define artificial-person powers as everything an entity needs except political spending power (subsection (2)(b)); and affirmatively grant artificial-person powers, and only those (subsections (1) and (3)). A state that makes those three moves has enacted the Corporate Power Reset, whatever else it adjusts.

At constitutional rank a fourth move joins them: the inseverability rule in subsection (7). In litigation over a constitutional provision the remedial question is not a footnote, it is the case. Subsection (7) is where the amendment answers it.

One difference from the model bill deserves note here rather than in a cell. The bill revokes all existing grants of power and regrants in the same instant. The amendment does not, and does not need to: a constitutional definition of what artificial persons receive supersedes any inconsistent statutory grant by rank, which is the work the second sentence of subsection (1) does. This follows the Montana approach of issuing the powers directly. A state adopting both instruments can still use the statutory revoke-and-regrant; it is belt and suspenders, not a contradiction.

One thing this document is not: a defense memorandum. The annotations explain design, not litigation strategy. If you would like a full account of why the amendment should survive constitutional challenge, the Center for American Progress can provide that separately.

MODEL TEXT	**ANNOTATION**
Section __. Powers of artificial persons.	
On the section as a whole. *One section, eight subsections, and a deliberate order. Subsection (1) makes the grant. Subsection (2) supplies the nouns. Subsection (3) gives the grant its*	

<table>
<tr><th>MODEL TEXT</th><th>ANNOTATION</th></tr>
<tr><td colspan="2">geography. Subsection (4) locates political spending power where it continues to exist. Subsections (5) through (8) supply consequences and control construction. The caption matters as much here as a bill's title does: “Powers of artificial persons” is the accurate single subject and, in states with single-subject or separate-vote requirements, the safe one. A caption mentioning elections or campaign finance would misdescribe the section and hand a challenger the first argument free.</td></tr>
<tr><td>(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).</td><td>The operative grant, and the floor beneath it. The first sentence is an affirmative grant and nothing else; its content arrives from the definition in (2)(b), which is where the exclusion lives. That division is the point. Striking a grant gives no one anything.

The second sentence is the reason for constitutional rank. It closes two routes at once: no statute may confer political spending power, and no statute may be construed to confer it. A rule of construction alone would leave a later legislature free to argue that an express grant is not a matter of construction. Both doors are shut, and only the constitution can shut the first one.</td></tr>
<tr><td colspan="2">(2) Definitions</td></tr>
<tr><td colspan="2">On the definitions as a whole. These are the nouns; the verbs are in (1) and (3). The division is deliberate. Definitions operate through the provisions that incorporate them, and no court may edit a definition into the opposite of what was adopted; construction can clarify a term, not invert it. By doing the heavy work here — defining political spending power, then defining artificial-person powers as everything but — the amendment leaves the operative subsections clean. The tempting shortcut for a challenger is to strike less: excise the exclusion from (2)(b), including the bar on treating political spending power as necessary or convenient, and call it severance. But deleting an exclusion from a grant enlarges the grant. That is a pen, not an eraser, and subsections (6) and (7) are written for exactly that move.</td></tr>
<tr><td>(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</td><td>Universality in a single definition. The touchstone is state conferral: anything whose existence, status, or limited liability comes from the State is covered, domestic or foreign, whatever chapter of the code it lives in. Note what the touchstone captures for foreign entities — their status and limited liability within this State are this State's</td></tr>
</table>

MODEL TEXT	ANNOTATION
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.	conferrals, and the home jurisdiction cannot supply either here. “Entity or legal arrangement” is open-ended on purpose, and the purpose is sharper at constitutional rank than statutory. A legislature can add a newly invented entity form to a list next session. Amending a constitution to chase a wrapper is a two-year project. The definition is written to capture forms that do not exist yet. The second sentence is the jurisdictional deeming clause, and it closes the obvious escape hatch: a foreign entity cannot spend into this State's elections and simultaneously deny that it is present here. An entity that directs spending into this State has purposefully availed itself of this State. The clause codifies that and confines its effect to jurisdiction and enforcement — it is not a general declaration that such an entity is doing business here for every other purpose in the code.
“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.	Governmental bodies are outside the class. They are not chartered creatures accepting conditional grants; they are the grantor's own instrumentalities, and government speech has always been governed by a different body of law. Note the grammar: this is a scope definition, not an exemption from a prohibition. Nothing is being forgiven. Municipal corporations, school districts, and public authorities are simply not among the entities whose powers this section defines. Drafted the other way — as an exception — it would concede that the section prohibits something and would invite the speaker-discrimination argument that universality is designed to foreclose.
(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	The grant's contents, and the definitional heart of the amendment. The first clause deliberately tracks the familiar formulation — “necessary or convenient” is the language of MBCA §3.02 and its analogues in nearly every state — so that what

MODEL TEXT	ANNOTATION
of this State, excluding political spending power. Political spending power may not be deemed necessary or convenient under any circumstances.	entities hold under this section is recognizably continuous with what they already understood themselves to hold. Minus one capacity. The second sentence forecloses re-derivation. Political spending power was construed into the general grants once, from words very much like these; this sentence ensures no court or counselor construes it back in.
(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.	The inventory of what the State supplies, and therefore the inventory of what subsection (5) reaches. Limited liability leads the list because it is the privilege that concentrates the mind. The definition is open-ended by design — "a legal benefit that exists only because the State confers it" — and the enumerated items are illustrations, not limits.
(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 defined term does exactly what its name says: it defines a capacity, not conduct. The opening clause turns on where money and value are directed, not on the content of any message. "Directly or indirectly" reaches conduit arrangements. Paragraph (ii) carries a temporal trigger that counsel and advocates should understand precisely. A ballot question enters the definition only once it has been certified or made eligible for circulation, or has otherwise reached the electors. Before that line, advocacy about an idea is advocacy about an idea, and the section leaves it alone — see the matching exclusion at (vii). Do not be tempted to drop paragraph (ii), and expect to be asked to. Ballot campaigns are flooded with dark money; measure spending already serves as a proxy for candidate-election spending; and it would become overwhelmingly the proxy of choice once the candidate-side spigot closes. An amendment reaching candidates alone would dig a channel around itself. The point has

MODEL TEXT	ANNOTATION
	extra force here, since the instrument being adopted is itself a ballot measure.
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;	A frame note for the exclusions as a group, then this one. The exclusions are not exemptions from a prohibition — there is no prohibition. They are capacities included within artificial-person powers, stated in the definition so no one has to guess. Preserve that grammar in adaptation: these paragraphs describe what entities can do, not what they are forgiven for doing. As to (i): the language draws from the court-tested federal definition of media activity, and note what it is not — a media-company exemption. No entity gets a pass because of what it is; an activity sits outside the defined term because of what it is. An earlier draft qualified the exclusion with “bona fide,” and it was removed on purpose. That phrase would have made journalistic legitimacy an adjudicable question and installed a court or a state officer as the arbiter of who counts as press — the one discretionary, content-adjacent judgment this section is built to avoid. The activity list and the ownership proviso do the work instead, the proviso preventing the candidate-owned-outlet dodge.
(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;	The entity may form an institutional view and tell its own people. A board can vote to endorse; the endorsement can go to the membership, the shareholders, the workforce. Institutional voice inside the institution is untouched. “Including through organizational members” solves the federation problem. Trade associations, labor federations, and national nonprofits are frequently organized as associations of associations, so that the individuals who are members in any ordinary sense are members of an affiliate rather than of the national body. Without the phrase, a federated organization would be

MODEL TEXT	ANNOTATION
	worse off than a direct-membership one for reasons having nothing to do with anything this section is about. The phrase describes a channel, not a new class of recipients.
(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;	And the entity may say so publicly — a press release, a statement on its own website — at de minimis cost, with a non-coordination proviso on the candidate side so the exclusion cannot become an in-kind contribution channel. One difference from the model bill: the bill directs the Secretary of State to define “de minimis” by rule, and this section contains no rulemaking provision, because constitutions do not sensibly carry administrative delegations of that kind. The term will take its content from implementing legislation, from rules adopted under it, or from ordinary judicial construction. It can bear that weight — courts have applied it for a very long time — but a state adopting this amendment alongside implementing legislation should put the definition there.
(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;	Internal election-related communication generally — broader than the endorsement paragraphs — so long as it stays internal. The proviso marks the boundary: the moment the entity promotes a communication to the general public, it has left this exclusion. Note that the proviso names an actor. It is the artificial person that must not distribute, republish, or promote. Drafted in the passive, the exclusion could be stripped by someone else's republication — a newspaper reprinting a union's internal email, an opponent circulating it to embarrass the sender. An entity should not lose a capacity because a third party did something with its mail.
(vi) use resources for the establishment, administration, or solicitation of contributions to a political committee, to	The connected-committee capacity. An entity may establish a political committee, administer it, and solicit contributions to it, as the campaign-finance

MODEL TEXT	ANNOTATION
the extent permitted under the campaign finance laws governing that political committee; or	laws governing that committee permit. Read this with subsection (4): political spending power itself lives in the political-committee channel, and this exclusion is the bridge to it. The entity cannot spend in politics; the natural persons associated with it, acting through a registered and reporting committee, can.
(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.	The mirror of the temporal trigger in (d)(ii), stated from the other side for clarity. Pre-certification activity — arguing for an idea before it has been cleared for circulation — is outside the defined term. The second branch exists because not every measure circulates for signature. A legislatively referred amendment, a bond question, a charter proposal placed by a council: these reach the electors without ever becoming eligible for signature circulation. Without the branch, the exclusion would remain literally true forever as to those measures, even though (d)(ii) treats them as inside the defined term once submitted. The two provisions have to close on each other, and here they do.
(3) – (4) Geography and the committee channel	
(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	The geography, in four moves, and the answer in advance to every extraterritoriality objection. First, the domestic attribute rule. An entity formed here holds only what its chartering sovereign granted, everywhere it acts. A power not granted is not held, and a power not held is not held anywhere; the absence travels with the entity like every other attribute of what it is. Note the claim's modesty: it binds no other sovereign, because it describes the entity rather than the territory. A court rejecting it would have to hold that a chartering state may define every capacity of the

MODEL TEXT	ANNOTATION
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.	entities it creates except this one, and would have to say where the exception comes from. Second, the territorial rule. Within this State, no artificial person holds the power, wherever organized. Third, parity — and note its scope. The sentence establishes parity as to political spending power and nothing else. It makes no claim about the general legal treatment of foreign entities, and it must not be broadened to do so: a constitutional declaration of wholesale parity in powers, duties, and liabilities would rewrite large tracts of foreign-entity law by accident and would hand a separate-vote challenger a gift. Scoped as written, it is the amendment's answer to dormant Commerce Clause discrimination arguments, stated in the operative text rather than left to inference. Internal affairs are untouched: a Delaware corporation here keeps its Delaware governance — board, bylaws, shareholder relations — and what it lacks here is a power this State grants no artificial person at all. Fourth, the disclaimer. As to other jurisdictions' elections, the section claims nothing. A Delaware corporation's spending in an Ohio election is Delaware's business and Ohio's.
(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.	The political-committee channel, and the provision that keeps the electoral system running. Political spending power is not extinguished from the world; it is located — in the one class of entity built from the ground up for registration, reporting, and transparency. Candidate committees, party committees, PACs, super PACs, and ballot-measure committees all keep their full political spending power. Super PACs deserve one more sentence, because the question always comes. The section does not touch them directly — they are registered,

<table>
<tr><th>MODEL TEXT</th><th>ANNOTATION</th></tr>
<tr><td></td><td>reporting political committees and the channel is theirs — but corporate contributions no longer arrive: contributing to a committee is itself an exercise of political spending power, and artificial persons do not hold it. What remains is what (2)(d)(vi) preserves: establishment, administration, and solicitation.

The federal clause matters too. Committees registered and reporting under federal law hold the capacity by the section's own terms. This subsection must survive adaptation in substance.</td></tr>
<tr><td colspan="2">(5) – (8) Consequences and construction</td></tr>
<tr><td colspan="2">On subsections (5) through (8) together. These supply consequences and control construction, and the kind of law they are matters as much as what they say. They are charter-enforcement provisions — the law of what an entity can do and what follows when it acts beyond its powers. They are not campaign-finance penalties: no penalty schedule borrowed from the election code, and consequences that run to the entity's status and privileges. Nothing here imposes a fine, liability, or sanction on any natural person. What can lapse is the entity's liability shield, a privilege the State granted, and its lapse changes what third parties can reach rather than taking anything from anyone. Preserve that character in adaptation; it is not cosmetic.</td></tr>
<tr><td>(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.</td><td>Note the pairing at the front of the subsection: the trigger is an exercise or a purported exercise. Voidness is what makes the second half necessary, because once the act is a nullity, the attempt is all that remains to enforce against.

Classical doctrine, applied to the one capacity the State does not grant. An act beyond an entity's powers is no act at all, and the section says so at constitutional rank, where no statute can soften it. Many state codes carry an MBCA §3.04 analogue providing that corporate action may not be challenged for lack of power; this subsection sits above those provisions and controls them.

Note the calibration. The entity is not dissolved. It continues to exist, continues to transact, continues to litigate. What lapses is the privileges — limited</td></tr>
</table>

MODEL TEXT	ANNOTATION
	liability first among them. Forfeiture is automatic; dissolution never is. An entity stripped of every charter privilege is still an entity, because existence and privileges are different things. The subsection states the rule and stops. Voidness is stated as voidness; what follows for a transfer already made — recovery, disgorgement, the position of a recipient committee — is left to implementing law, which is where machinery of that kind belongs. Reinstatement is likewise left open, and the verb is permissive because a constitution should not command its own legislature to legislate. The consequence for adopters is worth stating plainly: a state that adopts this amendment and enacts nothing else has automatic forfeiture with no confirmation procedure and no defined route back. That is a coherent choice, but it should be a choice. The model bill supplies all of it — confirmation, contest, disgorgement, reinstatement on defined terms, and rules providing notice and an opportunity to be heard — and pairing the two instruments is the recommended course.
(6) Political spending power not granted by this section may not be revived, reinstated, recognized, or implied by operation of law or judicial construction.	The nonrevival clause — the remedial wall. A court reviewing an enactment holds an eraser, not a pen: it can strike text, but striking text cannot write a power into a body of law that does not grant it. This subsection makes the consequence explicit. A court that wanted to restore political spending power would have to explain what enactment, exactly, it was restoring. Note the narrowness, which is deliberate and differs from the statutory analogue. The clause reaches political spending power and nothing else. A broader formulation — barring revival of any capacity not granted by this section — would imply that this section is the exclusive source of artificial-person powers, which it plainly is not: it says nothing about property, contract, litigation

MODEL TEXT	ANNOTATION
	capacity, or the hundred other incidents entities hold under other law. The model bill can afford the broader form because it revokes and regrants everything. This section does not, so it should not claim to.
(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.	The inseverability rule, and the most important provision in the section after the grant itself. Severability doctrine asks which surviving world the enacting authority would have preferred among those a court could leave behind. This subsection answers the question in text, which is exactly where courts look for the answer. The architecture matters. The first sentence is ordinary severability. The second forecloses construction, severance, or application that would confer the power. The third does the real work: if invalidating something would leave an entity holding political spending power, then the grant producing that result falls with the invalid provision rather than surviving it. The challenger's best outcome is nothing. "The affected class of artificial persons" is doing deliberate work and should not be trimmed. It ties the inseverability to the class of entities touched by the invalidated provision, rather than to any grant of powers anywhere in the law. A shorter formulation reads cleaner and sweeps wider, which is the wrong trade in a provision whose whole virtue is precision. The last sentence is the initiative analogue of a legislative-intent finding, and it belongs in the text rather than in a voter guide, because the text is what a court construes. Note the posture: this is not defiance of judicial review and is not addressed to any court in anger. It is information supplied in advance about how remedies operate in this domain. Invalidation ordinarily restores a prior baseline. Here there is nothing for it to

MODEL TEXT	ANNOTATION
	restore. Political spending power was never affirmatively conferred by name; it entered state law as a construction placed on general grants written for other purposes, and nothing suggests any legislature meant to confer it. Whatever that construction was worth, subsections (1), (6), and (7) foreclose its revival, recognition, or use as a remedial baseline. The clause spares the court a discovery it would otherwise make at the end of the case. Counsel and sponsors will be tempted to soften it. Don't. It survives in substance or the remedial architecture goes with it.
(8) This section is self-executing.	Short, and load-bearing in more states than one might guess. Subsections (4) and (5) both refer to other law — “as provided by those laws,” “procedures the legislature may enact” — and in a number of states that kind of reference is precisely the hook for holding a constitutional provision non-self-executing and therefore inert until the legislature acts. Combined with a permissive reinstatement clause and a legislature disinclined to implement, the result would be an amendment the voters adopted and nothing changed. This subsection forecloses that: the capacity rules operate on the effective date whether or not implementing legislation ever arrives. In states that already presume self-execution the sentence is harmless surplusage. It costs eight words to be certain, and a state adaptation audit should confirm which kind of state it is rather than assume.
Model ballot statements	
On the ballot statements. *Three lengths are supplied because caps vary and the binding constraint is usually the state's, not the drafter's. Use the longest the jurisdiction permits. Where the Attorney General or Secretary of State writes the official title and summary, these are proponent submissions and campaign copy rather than ballot text. Two disciplines govern all three versions. First, register: the statements describe the State defining powers, never the State prohibiting conduct, because a mismatch between the summary's verbs and the section's*	

<table>
<tr><th>MODEL TEXT</th><th>ANNOTATION</th></tr>
<tr><td colspan="2">verbs is usable twice — first in an impartiality or accuracy challenge, later as an admission about what the measure really does. Second, accuracy in the direction of severity: an earlier draft said acts outside the granted powers "may result" in forfeiture where the text says they do. Proponents' summaries that understate an effect are the standard ground for a pre-election title challenge, and the harshest provision is the one to state most carefully.</td></tr>
<tr><td>Base form — 156 words

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.</td><td>The unconstrained version, for states with generous limits and for campaign use. It opens with the grant, which is the accurate frame, and states the natural-persons point second, because it is the sentence voters most need and the one opponents will contest hardest.

One phrase in an earlier draft said the amendment preserves "support for political committees." That was materially too broad and was corrected: contributions to a committee are themselves an exercise of political spending power. What is preserved is establishment, administration, and solicitation, and the statement now says so.</td></tr>
<tr><td>100-word cap form — 98 words

Amendment ___ would add a section to the [State] Constitution defining the</td><td>For states with a hundred-word ceiling on the proponent's statement of purpose and implication. The sacrifices are the enumerated detail in the preserved-capacities sentence and the closing</td></tr>
</table>

MODEL TEXT	ANNOTATION
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.	sentence on coverage; nothing that changes the measure's meaning is dropped. Forfeiture stays, because omitting the harshest consequence to save words is how a summary becomes challengeable.
75-word cap form — 74 words 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.	For the tightest regimes — Florida allows the sponsor seventy-five words of summary plus a fifteen-word title. At seventy-four words there is one word of slack, so treat this as sitting at the ceiling and recount against the state's own counting convention before filing; states differ on how blanks, hyphenated terms, and bracketed placeholders count. Note what survives compression: the grant frame, the natural-persons sentence, the capacity language, and forfeiture. “Capacity” in particular is not a candidate for trimming. It is the word that distinguishes this measure from a spending ban, and a summary that described conduct rather than capacity would misdescribe the amendment in the one respect that matters most.
[ ] YES on Constitutional Amendment ___ [ ] NO on Constitutional Amendment ___	Ballot format varies and is usually prescribed. Conform to state practice.

Questions on any provision, or on the fit between this text and a particular state's constitution, may be directed to Tom Moore, senior fellow for democracy and government at the Center for American Progress (email: tmoore@americanprogress.org).