

## **Answer to the question # 46146, History**

The Constitution of the United States of America is the supreme law of the United States. Empowered with the sovereign authority of the people by the framers and the consent of the legislatures of the states, it is the source of all government powers, and also provides important limitations on the government that protect the fundamental rights of United States citizens.

Article V of the Constitution outlines how to amend (modify) the document. It consists of two steps: proposal and ratification.

### **1. Propose an amendment**

Either Congress or the States can propose an amendment of the Constitution.

- Both Houses of Congress must propose the amendment with a two-thirds vote. This is how all current amendments have been offered.
- Two-thirds of the State legislatures must call on Congress to hold a Constitutional Convention.

### **2. Ratify an amendment**

Regardless of how the amendment is proposed, it must be ratified by the States.

- Three-fourths of the State legislatures must approve of the amendment proposed by Congress, or
- Three-fourths of the states must approve the amendment via ratifying conventions. This method has only been used once, to repeal Prohibition (21st Amendment).

Is there a timeline for ratification? The US Supreme Court has held that ratification must happen within "some reasonable time after the proposal." Since the 18th Amendment, Congress has set a term of seven years for ratification.

Only 33 amendments have received a two-thirds vote from both Houses of Congress. Of those, only 27 have been ratified by the States. Perhaps the most visible failure is the Equal Rights Amendment.