

**Assembly Joint Resolution**

**No. 17**

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**Introduced by Assembly Member Low**

May 17, 2017

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Assembly Joint Resolution No. 17—Relative to the impeachment of President Donald J. Trump.

LEGISLATIVE COUNSEL’S DIGEST

AJR 17, as introduced, Low. Impeachment of President Donald J. Trump.

This measure would urge President Donald J. Trump to resign for the good of the country and to avoid the divisiveness of impeachment and would urge the United States Congress to impeach President Donald J. Trump if he does not resign.

Fiscal committee: no.

1       WHEREAS, Clause 8 of Section 9 of Article I of the United  
2 States Constitution, also known as the Foreign Emoluments Clause,  
3 provides in part that “no Person holding any Office of Profit or  
4 Trust under [the United States], shall, without the Consent of the  
5 Congress, accept of any present, Emolument, Office, or Title, of  
6 any kind whatever, from any King, Prince, or foreign State”; and  
7       WHEREAS, The Foreign Emoluments Clause was intended to  
8 protect officers of the United States from undue influence by  
9 foreign governments; and  
10       WHEREAS, Clause 7 of Section 1 of Article II of the United  
11 States Constitution, also referred to as the Domestic Emoluments  
12 Clause, provides that “The President shall, at stated Times, receive  
13 for his Services, a Compensation, which shall neither be increased

1 nor diminished during the Period for which he shall have been  
2 elected, and he shall not receive within that Period any other  
3 Emolument from the United States, or any of them”; and

4 WHEREAS, Donald J. Trump has been President of the United  
5 States since January 20, 2017; and

6 WHEREAS, While Donald J. Trump announced at a news  
7 conference on January 11, 2017, that he was turning over the  
8 leadership and management of the Trump Organization to his sons  
9 and a long-time Trump Organization executive, President Donald  
10 J. Trump has not divested himself of his ownership in the Trump  
11 Organization, nor has he placed his assets in a blind trust; and

12 WHEREAS, The Director of the United States Office of  
13 Government Ethics, an independent federal agency whose mission  
14 is to “provide overall leadership and oversight of the executive  
15 branch ethics program designed to prevent and resolve conflicts  
16 of interest,” has criticized the President’s plan for avoiding conflicts  
17 of interest as inadequate, and has said that President Donald J.  
18 Trump’s pledge to “[step] back from running his business is  
19 meaningless from a conflict-of-interest perspective”; and

20 WHEREAS, Citizens for Responsibility and Ethics in  
21 Washington, whose chair and vice chair of the board of directors  
22 are Norman L. Eisen and Richard W. Painter, who led the  
23 administration’s ethics policies under President Barack Obama  
24 and President George W. Bush, respectively, has filed a federal  
25 lawsuit against President Donald J. Trump alleging that President  
26 Donald J. Trump’s “business interests are creating countless  
27 conflicts of interest, as well as unprecedented influence by foreign  
28 governments”; and

29 WHEREAS, That federal lawsuit alleges that President Donald  
30 J. Trump’s business interests “have resulted and will further result  
31 in numerous violations of ... the ‘Foreign Emoluments Clause,’”  
32 and “also likely cause [President Trump] to run afoul of ... the  
33 ‘Domestic Emoluments Clause’”; and

34 WHEREAS, President Donald J. Trump’s firing of James Comey  
35 from his position as Director of the Federal Bureau of Investigation  
36 (FBI) while the FBI was investigating the ties between Donald J.  
37 Trump’s 2016 presidential campaign and Russia may amount to  
38 obstruction of justice; and

39 WHEREAS, During a meeting at the White House on May 10,  
40 2017, President Donald J. Trump appears to have leaked highly

1 classified information to Minister of Foreign Affairs of the Russian  
2 Federation Sergey Lavrov and Ambassador of the Russian  
3 Federation to the United States Sergey Kislyak; and

4 WHEREAS, Section 4 of Article II of the United States  
5 Constitution provides, that “The President, Vice President and all  
6 civil Officers of the United States, shall be removed from Office  
7 on Impeachment for, and Conviction of, Treason, Bribery, or other  
8 high Crimes and Misdemeanors”; now, therefore, be it

9 *Resolved by the Assembly and the Senate of the State of*  
10 *California, jointly*, That the Legislature of the State of California  
11 urges President Donald J. Trump to resign for the good of the  
12 country and to avoid the divisiveness of impeachment; and be it  
13 further

14 *Resolved*, That if President Donald J. Trump does not resign,  
15 the Legislature of the State of California urges the United States  
16 Congress to impeach President Donald J. Trump; and be it further

17 *Resolved*, That the Chief Clerk of the Assembly transmit copies  
18 of this resolution to the President and Vice President of the United  
19 States, the Speaker of the House of Representatives, the Majority  
20 Leader of the House of Representatives, the Minority Leader of  
21 the House of Representatives, the Majority Leader of the United  
22 States Senate, the Minority Leader of the United States Senate,  
23 and to each Senator and Representative from California in the  
24 Congress of the United States.