

By: Creighton

H.J.R. No. 100

A JOINT RESOLUTION

1 applying to the Congress of the United States to call a convention  
2 to propose an amendment to the United States Constitution to  
3 require a balanced federal budget.

4 WHEREAS, The gravity of federal debt and federal obligations  
5 was established early in American history, with deficits occurring  
6 only in relation to extraordinary circumstances such as war; yet  
7 for much of the 20th century and into the 21st, the United States  
8 has operated on a budget deficit, including the 2010 budget year,  
9 which surpassed an astounding \$1.3 trillion, an annual deficit that  
10 exceeded the entire gross state product of Texas; and

11 WHEREAS, The federal debt is greater than \$14 trillion, a sum  
12 that if shared equally by each person in America would be a burden  
13 of over \$45,000 per person, and yet the federal government  
14 continues to accrue debt; and

15 WHEREAS, The higher the deficit becomes, the more the  
16 government must pay in interest on the debt, and the use of deficit  
17 spending by the federal government compounds the problem of the  
18 national debt, which becomes the responsibility of future  
19 generations of Americans without their consent; and

20 WHEREAS, Many states have previously requested that Congress  
21 propose a constitutional amendment requiring a balanced budget, but  
22 Congress has proven to be unresponsive; anticipating situations in  
23 which Congress at times could fail to act, the drafters of the  
24 United States Constitution had the foresight to adopt the language

1 in Article V that establishes that on application of the  
2 legislatures of two-thirds of the several states, Congress shall  
3 call a convention for proposing amendments; and

4 WHEREAS, A balanced budget amendment would require the  
5 government not to spend more than it receives in revenue and compel  
6 lawmakers to carefully consider choices about spending and taxes;  
7 by encouraging spending control and discouraging deficit spending,  
8 a balanced budget amendment will help put the nation on the path to  
9 lasting prosperity; and

10 WHEREAS, The United States Constitution contains no  
11 restriction on the power of the federal government to incur a budget  
12 deficit; and

13 WHEREAS, Article V of the United States Constitution provides  
14 that on application of the legislatures of two-thirds of the  
15 several states Congress shall call a convention for proposing  
16 amendments to the constitution; now, therefore, be it

17 RESOLVED, That the 82nd Texas Legislature apply to Congress  
18 to call a convention under Article V of the United States  
19 Constitution for the exclusive purpose of proposing an amendment to  
20 the constitution providing that except in time of war or other  
21 national emergency the total of all federal appropriations for a  
22 fiscal year may not exceed the total of all estimated federal  
23 revenue for that fiscal year; and, be it further

24 RESOLVED, That the 82nd Texas Legislature request Congress to  
25 propose and submit to the states for ratification an amendment to  
26 the constitution to provide for a balanced federal budget; and, be  
27 it further

1           RESOLVED, That, unless rescinded by a succeeding  
2 legislature, this application by the 82nd Texas Legislature  
3 constitutes a continuing application in accordance with Article V  
4 of the United States Constitution until at least two-thirds of the  
5 legislatures of the several states have applied to Congress to call  
6 a convention to propose an amendment to the constitution to provide  
7 for a balanced federal budget, but if Congress proposes and submits  
8 to the states for ratification a constitutional amendment identical  
9 in subject matter to that contained in this resolution, this  
10 application is no longer of any force; and, be it further

11           RESOLVED, That this application is rescinded in the event  
12 that a convention to propose amendments to the United States  
13 Constitution includes purposes other than providing for a balanced  
14 federal budget; and, be it further

15           RESOLVED, That the Texas secretary of state forward official  
16 copies of this resolution to the president of the United States, to  
17 the speaker of the House of Representatives and the president of the  
18 Senate of the Congress of the United States, and to all members of  
19 the Texas delegation to Congress with the request that this  
20 resolution be officially entered in the Congressional Record as an  
21 application to Congress for a convention to propose an amendment to  
22 the United States Constitution to provide for a balanced federal  
23 budget; and, be it further

24           RESOLVED, That the Texas secretary of state forward official  
25 copies of this resolution to the secretaries of state and to the  
26 presiding officers of the legislatures of the several states with  
27 the request that they join this state in applying to Congress for a

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1 convention to propose an amendment to the United States  
2 Constitution to provide for a balanced federal budget.