

By: Ogden

S.J.R. No. 1

A JOINT RESOLUTION

1 applying to the Congress of the United States, in accordance with
2 Article V of the United States Constitution, to call a convention to
3 propose an amendment to the Constitution of the United States to
4 provide for a federal balanced budget and requesting that the
5 legislatures of each of the several states that compose the United
6 States apply to Congress for a convention to propose such an
7 amendment to the United States Constitution.

8 WHEREAS, The gravity of federal debt and federal obligations
9 was established early in American history, with deficits occurring
10 only in relation to extraordinary circumstances such as war; yet
11 for much of the 20th century and into the 21st, the United States
12 has operated on a budget deficit, including the 2010 budget year,
13 which surpassed an astounding \$1,300,000,000,000, an annual
14 deficit that exceeded the entire gross state product of Texas; and

15 WHEREAS, Congress has been unwilling or unable to address the
16 persistent problem of overspending and has recently increased the
17 statutory limit on the public debt with the passage of
18 H.R.J.Res.45, 111th Congress (2010), and enacted a variety of
19 legislation that will ultimately cause the federal government to
20 incur additional debt; and

21 WHEREAS, The consequences of current spending policies are
22 far-reaching; United States indebtedness to governments of foreign
23 nations continues to rise; costly federal programs that are
24 essentially unfunded or underfunded mandates to states threaten the

1 ability of state and local governments to continue to balance their
2 budgets; moreover, future generations of Americans inevitably face
3 increased taxation and a weakened economy as a direct result of the
4 bloated debt; and

5 WHEREAS, Many states have previously requested that Congress
6 propose a constitutional amendment requiring a balanced budget, but
7 Congress has proven to be unresponsive; anticipating situations in
8 which Congress at times could fail to act, the drafters of the
9 United States Constitution had the foresight to adopt the language
10 in Article V that establishes that on application of the
11 legislatures of two-thirds of the several states, Congress shall
12 call a convention for proposing amendments; and

13 WHEREAS, In both 1977 and 1978, the Texas Legislature made
14 application to Congress to call a convention under Article V, and
15 through the years, many other states have done the same, all to no
16 avail; and

17 WHEREAS, A balanced budget amendment would require the
18 government not to spend more than it receives in revenue and compel
19 lawmakers to carefully consider choices about spending and taxes;
20 by encouraging spending control and discouraging deficit spending,
21 a balanced budget amendment will help put the nation on the path to
22 lasting prosperity; now, therefore, be it

23 RESOLVED, That the 82nd Texas Legislature hereby make
24 application to the United States Congress to call a convention
25 under Article V of the United States Constitution to propose an
26 amendment to that constitution requiring that, in the absence of a
27 national emergency, and as determined by the positive vote of at

1 least two-thirds of the members of each house of Congress, the total
2 of all federal appropriations made by Congress for any fiscal year
3 may not exceed the total of all estimated federal revenue for that
4 fiscal year; and, be it further

5 RESOLVED, That, unless rescinded by a succeeding
6 legislature, this application by the 82nd Texas Legislature
7 constitutes a continuing application in accordance with Article V
8 of the United States Constitution until at least two-thirds of the
9 legislatures of the several states have made application for a
10 convention to provide for a federal balanced budget; and, be it
11 further

12 RESOLVED, That the 82nd Texas Legislature hereby request that
13 the legislatures of each of the several states that compose the
14 United States apply to Congress requesting Congress to call a
15 convention to propose such an amendment to the United States
16 Constitution; and, be it further

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

26 RESOLVED, That the Texas secretary of state forward official
27 copies of this resolution to the secretaries of state and to the

S.J.R. No. 1

1 presiding officers of the legislatures of the other states with the
2 request that they join this state in making application to the
3 Congress of the United States for a convention to propose an
4 amendment to provide for a federal balanced budget.