

By: Workman, et al.

H.J.R. No. 44

Substitute the following for H.J.R. No. 44:

By: Darby

C.S.H.J.R. No. 44

A JOINT RESOLUTION

1 applying to the Congress of the United States to call a convention
2 under Article V of the United States Constitution for the limited
3 purpose of proposing an amendment to the constitution to provide
4 for a federal balanced budget.

5 WHEREAS, The drafters of the United States Constitution
6 empowered state legislatures to be guardians of liberty against
7 abuses of power by the federal government; and

8 WHEREAS, The federal government has abused its power by
9 creating a crushing national debt through improper and imprudent
10 spending; and

11 WHEREAS, The federal government has ceased to abide by a
12 proper interpretation of the United States Constitution; and

13 WHEREAS, In 1977 the 65th Texas Legislature submitted to the
14 federal government H.C.R. No. 31 requesting Congress to prepare and
15 submit to the several states an amendment to the United States
16 Constitution providing for a federal balanced budget, or
17 alternatively requesting Congress to call a constitutional
18 convention for the purpose of proposing such an amendment; and

19 WHEREAS, Congress has not acted to amend the United States
20 Constitution to provide for a federal balanced budget or to
21 otherwise impose fiscal restraints on the federal government; and

22 WHEREAS, It is the solemn duty of state legislatures to
23 protect the liberty of the people and of future generations by
24 proposing amendments to the United States Constitution that place

1 clear restraints on federal power; and

2 WHEREAS, Article V of the United States Constitution
3 authorizes the several state legislatures to restrict the power of
4 the federal government through the amendment process; and

5 WHEREAS, Article V of the United States Constitution provides
6 that on application of the legislatures of two-thirds of the
7 several states Congress shall call a convention for the purpose of
8 proposing amendments to the constitution; now, therefore, be it

9 RESOLVED, That the 85th Texas Legislature hereby applies to
10 Congress to call a convention under Article V of the United States
11 Constitution for the limited purpose of proposing an amendment to
12 the constitution requiring, in the absence of a national emergency,
13 that the total of all federal appropriations made by Congress for
14 any fiscal year may not exceed the total of all estimated federal
15 revenue for that fiscal year; and, be it further

16 RESOLVED, That, unless rescinded by a succeeding
17 legislature, this application by the 85th Texas Legislature
18 constitutes a continuing application in accordance with Article V
19 of the United States Constitution until at least two-thirds of the
20 legislatures of the several states have applied to Congress to call
21 a convention for the limited purpose of proposing an amendment to
22 the constitution to provide for a federal balanced budget; and, be
23 it further

24 RESOLVED, That the Texas secretary of state forward official
25 copies of this resolution to the president of the United States, to
26 the speaker of the House of Representatives and the president of the
27 Senate of the Congress of the United States, and to all members of

1 the Texas delegation to Congress with the request that this
2 resolution be officially entered in the Congressional Record as an
3 application to Congress for a convention under Article V of the
4 United States Constitution for the limited purpose of proposing an
5 amendment to the constitution to provide for a federal balanced
6 budget; and, be it further

7 RESOLVED, That the Texas secretary of state forward official
8 copies of this resolution to the secretaries of state and to the
9 presiding officers of the legislatures of the several states with
10 the request that they join this state in applying to Congress for a
11 convention under Article V of the United States Constitution for
12 the limited purpose of proposing an amendment to the constitution
13 to provide for a federal balanced budget.