112TH CONGRESS 1ST SESSION S. J. RES. 3

Proposing an amendment to the Constitution of the United States relative to balancing the budget.

IN THE SENATE OF THE UNITED STATES

JANUARY 26, 2011

Mr. HATCH (for himself, Mr. CORNYN, Mr. CRAPO, Mr. INHOFE, Mr. MCCAIN, Mr. GRASSLEY, Mr. ROBERTS, Mr. LUGAR, Mr. BURR, Ms. SNOWE, Mr. ENSIGN, Mr. ISAKSON, Mr. BARRASSO, Mr. JOHANNS, Mr. CHAMBLISS, Ms. AYOTTE, Mr. PORTMAN, Mr. BLUNT, Mr. HOEVEN, and Mr. KIRK) introduced the following joint resolution; which was read twice and referred to the Committee on the Judiciary

JOINT RESOLUTION

Proposing an amendment to the Constitution of the United States relative to balancing the budget.

1 Resolved by the Senate and House of Representatives 2 of the United States of America in Congress assembled 3 (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Con-4 5 stitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when 6 ratified by the legislatures of three-fourths of the several 7 8 States:

"ARTICLE —

2 "SECTION 1. Total outlays for any fiscal year shall
3 not exceed total receipts for that fiscal year, unless two4 thirds of the duly chosen and sworn Members of each
5 House of Congress shall provide by law for a specific ex6 cess of outlays over receipts by a rollcall vote.

7 "SECTION 2. Total outlays for any fiscal year may
8 not exceed 20 percent of the gross domestic product of
9 the United States for the calendar year ending before the
10 beginning of such fiscal year, unless two-thirds of the duly
11 chosen and sworn Members of each House of Congress
12 shall provide by law for a specific amount in excess of such
13 20 percent by a rollcall vote.

14 "SECTION 3. Prior to each fiscal year, the President
15 shall transmit to the Congress a proposed budget for the
16 United States Government for that fiscal year in which
17 total outlays do not exceed total receipts.

18 "SECTION 4. No bill to increase Federal taxes shall
19 become law unless approved by two-thirds of the duly cho20 sen and sworn Members of each House of Congress by
21 a rollcall vote.

"SECTION 5. The Congress may waive the provisions
of this article for any fiscal year in which a declaration
of war is in effect. The provisions of this article may be
waived for any fiscal year in which the United States is

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engaged in military conflict which causes an imminent and
 serious military threat to national security and is so de clared by a joint resolution, adopted by a majority of the
 duly chosen and sworn Members of each House of Con gress, which becomes law.

6 "SECTION 6. The Congress shall enforce and imple7 ment this article by appropriate legislation, which may rely
8 on estimates of outlays, receipts, and gross domestic prod9 uct.

10 "SECTION 7. Total receipts shall include all receipts
11 of the United States Government except those derived
12 from borrowing. Total outlays shall include all outlays of
13 the United States Government except for those for repay14 ment of debt principal.

15 "SECTION 8. This article shall take effect beginning16 with the fourth fiscal year beginning after its ratifica-17 tion.".

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