

# State of South Dakota

EIGHTY-EIGHTH SESSION  
LEGISLATIVE ASSEMBLY, 2013

556U0553

## HOUSE BILL NO. 1242

Introduced by: Representatives Wick, Craig, Dryden, Erickson, Greenfield, Haggar (Don), Hunhoff (Bernie), Mickelson, Miller, Nelson, Novstrup (David), Otten (Herman), Sly, Stalzer, Steele, Verchio, Werner, Westra, and Wink and Senators Brown, Holien, Jensen, Novstrup (Al), Olson (Russell), Rampelberg, and Van Gerpen

1 FOR AN ACT ENTITLED, An Act to make application under Article V of the United States  
2 Constitution for a Balanced Budget Amendment Convention.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. The Legislature of the State of South Dakota hereby applies to Congress, under  
5 the provisions of Article V of the Constitution of the United States, for the calling of a  
6 convention of the states limited to proposing an amendment to the Constitution of the United  
7 States requiring that in the absence of a national emergency the total of all Federal  
8 appropriations made by the Congress for any fiscal year may not exceed the total of all estimated  
9 Federal revenues for that fiscal year, together with any related and appropriate fiscal restraints.

10 Section 2. The secretary of state is hereby directed to transmit copies of this application to  
11 the President and Secretary of the Senate and to the Speaker and Clerk of the House of  
12 Representatives of the Congress, and copies to the members of the Senate and House of  
13 Representatives from this State. The secretary of state shall also transmit copies hereof to the



1 presiding officers of each of the legislative houses in the several States, requesting their  
2 cooperation.

3 Section 3. This application is to be considered as covering the balanced budget amendment  
4 language of the presently outstanding balanced budget applications from other states, including  
5 previously-adopted applications from Alabama, Alaska, Arkansas, Colorado, Delaware, Florida,  
6 Indiana, Iowa, Kansas, Mississippi, Missouri, Nebraska, Nevada, New Mexico, North Carolina,  
7 Pennsylvania, and Texas. This application shall be aggregated with same for the purpose of  
8 attaining the two-thirds of states necessary to require the calling of a convention for proposing  
9 a balanced budget amendment, but may not be aggregated with any applications on any other  
10 subject.

11 Section 4. This application constitutes a continuing application in accordance with Article  
12 V of the Constitution of the United States until the legislatures of at least two-thirds of the  
13 several states have made applications on the same subject. It supersedes all previous  
14 applications by this Legislature on the same subject.