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 fol-
- 4 lowing article is proposed as an amendment to the Con-
- 5 stitution of the United States, which shall be valid to all
- 6 intents and purposes as part of the Constitution when
- 7 ratified by the legislatures of three-fourths of the several
- 8 States:

1	"ARTICLE —
2	"Section 1. Total outlays for any fiscal year shall
3	not exceed total receipts for that fiscal year, unless two-
4	thirds of the duly chosen and sworn Members of each
5	House of Congress shall provide by law for a specific ex-
6	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 cho-
20	sen and sworn Members of each House of Congress by
21	a rollcall vote.
22	"Section 5. The Congress may waive the provisions
23	of this article for any fiscal year in which a declaration
24	of war is in effect. The provisions of this article may be
25	waived for any fiscal year in which the United States is

- 1 engaged in military conflict which causes an imminent and
- 2 serious military threat to national security and is so de-
- 3 clared by a joint resolution, adopted by a majority of the
- 4 duly chosen and sworn Members of each House of Con-
- 5 gress, which becomes law.
- 6 "Section 6. The Congress shall enforce and imple-
- 7 ment this article by appropriate legislation, which may rely
- 8 on estimates of outlays, receipts, and gross domestic prod-
- 9 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 repay-
- 14 ment of debt principal.
- 15 "Section 8. This article shall take effect beginning
- 16 with the fourth fiscal year beginning after its ratifica-
- 17 tion.".

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