

Calendar No. 90112TH CONGRESS
1ST SESSION**S. J. RES. 23**

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

IN THE SENATE OF THE UNITED STATES

JUNE 29, 2011

Mr. McCONNELL (for himself, Mr. HATCH, Mr. LEE, Mr. CORNYN, Mr. KYL, Mr. TOOMEY, Ms. SNOWE, Mr. RISCH, Mr. RUBIO, Mr. DEMINT, Mr. PAUL, Mr. VITTER, Mr. ENZI, Mr. KIRK, Mr. THUNE, Mr. ALEXANDER, Mr. INHOFE, Mr. CRAPO, Mr. BURR, Mr. BARRASSO, Mr. COBURN, Mr. MORAN, Mr. LUGAR, Mrs. HUTCHISON, Mr. ISAKSON, Mr. BROWN of Massachusetts, Mr. JOHNSON of Wisconsin, Mr. GRAHAM, Mr. GRASSLEY, Mr. SHELBY, Mr. SESSIONS, Mr. MCCAIN, Mr. BOOZMAN, Mr. ROBERTS, Ms. COLLINS, Mr. HOEVEN, Mr. CHAMBLISS, Ms. AYOTTE, Mr. BLUNT, Mr. COATS, Mr. COCHRAN, Mr. CORKER, Mr. JOHANNIS, Ms. MURKOWSKI, Mr. PORTMAN, Mr. WICKER, and Mr. HELLER) introduced the following joint resolution which was read the first time

JUNE 30, 2011

Read the second time and placed on the calendar

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-*

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

6 “ARTICLE —

7 “SECTION 1. Total outlays for any fiscal year shall
 8 not exceed total receipts for that fiscal year, unless two-
 9 thirds of the duly chosen and sworn Members of each
 10 House of Congress shall provide by law for a specific ex-
 11 cess of outlays over receipts by a roll call vote.

12 “SECTION 2. Total outlays for any fiscal year shall
 13 not exceed 18 percent of the gross domestic product of
 14 the United States for the calendar year ending before the
 15 beginning of such fiscal year, unless two-thirds of the duly
 16 chosen and sworn Members of each House of Congress
 17 shall provide by law for a specific amount in excess of such
 18 18 percent by a roll call vote.

19 “SECTION 3. Prior to each fiscal year, the President
 20 shall transmit to the Congress a proposed budget for the
 21 United States Government for that fiscal year in which—

22 “(1) total outlays do not exceed total receipts;

23 and

24 “(2) total outlays do not exceed 18 percent of
 25 the gross domestic product of the United States for

1 the calendar year ending before the beginning of
2 such fiscal year.

3 “SECTION 4. Any bill that imposes a new tax or in-
4 creases the statutory rate of any tax or the aggregate
5 amount of revenue may pass only by a two-thirds majority
6 of the duly chosen and sworn Members of each House of
7 Congress by a roll call vote. For the purpose of deter-
8 mining any increase in revenue under this section, there
9 shall be excluded any increase resulting from the lowering
10 of the statutory rate of any tax.

11 “SECTION 5. The limit on the debt of the United
12 States shall not be increased, unless three-fifths of the
13 duly chosen and sworn Members of each House of Con-
14 gress shall provide for such an increase by a roll call vote.

15 “SECTION 6. The Congress may waive the provisions
16 of sections 1, 2, 3, and 5 of this article for any fiscal year
17 in which a declaration of war against a nation-state is in
18 effect and in which a majority of the duly chosen and
19 sworn Members of each House of Congress shall provide
20 for a specific excess by a roll call vote.

21 “SECTION 7. The Congress may waive the provisions
22 of sections 1, 2, 3, and 5 of this article in any fiscal year
23 in which the United States is engaged in a military conflict
24 that causes an imminent and serious military threat to
25 national security and is so declared by three-fifths of the

1 duly chosen and sworn Members of each House of Con-
2 gress by a roll call vote. Such suspension must identify
3 and be limited to the specific excess of outlays for that
4 fiscal year made necessary by the identified military con-
5 flict.

6 “SECTION 8. No court of the United States or of any
7 State shall order any increase in revenue to enforce this
8 article.

9 “SECTION 9. Total receipts shall include all receipts
10 of the United States Government except those derived
11 from borrowing. Total outlays shall include all outlays of
12 the United States Government except those for repayment
13 of debt principal.

14 “SECTION 10. The Congress shall have power to en-
15 force and implement this article by appropriate legislation,
16 which may rely on estimates of outlays, receipts, and gross
17 domestic product.

18 “SECTION 11. This article shall take effect beginning
19 with the fifth fiscal year beginning after its ratification.”.

Calendar No. 90

112TH CONGRESS
1ST Session

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