

116TH CONGRESS
1ST SESSION

H. J. RES. 40

Proposing an amendment to the Constitution of the United States requiring that the Federal budget be balanced.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 30, 2019

Mr. LOUDERMILK (for himself, Mr. COLLINS of Georgia, Mr. GRIFFITH, Mr. HICE of Georgia, Mr. MOONEY of West Virginia, Mr. WEBER of Texas, Mr. DESJARLAIS, Mr. KEVIN HERN of Oklahoma, Mr. RIGGLEMAN, and Mr. WRIGHT) submitted the following joint resolution; which was referred to the Committee on the Judiciary

JOINT RESOLUTION

Proposing an amendment to the Constitution of the United States requiring that the Federal budget be balanced.

1 *Resolved by the Senate and House of Representatives*
2 *of the United States of America in Congress assembled (two-*
3 *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.

4 “SECTION 2. Total outlays shall not exceed 18 per-
5 cent of the gross domestic product of the United States
6 for the calendar year ending prior to the beginning of such
7 fiscal year.

8 “SECTION 3. The Congress may provide for suspen-
9 sion of the limitations imposed by section 1 or 2 of this
10 article for any fiscal year for which two-thirds of the whole
11 number of each House shall provide, by a rollcall vote, for
12 a specific excess of outlays over receipts or over 18 percent
13 of the gross domestic product of the United States for the
14 calendar year ending prior to the beginning of such fiscal
15 year.

16 “SECTION 4. Any bill to levy a new tax or increase
17 the rate of any tax shall not become law unless approved
18 by two-thirds of the whole number of each House of Con-
19 gress by a rollcall vote.

20 “SECTION 5. The limit on the debt of the United
21 States held by the public shall not be increased, unless
22 two-thirds of the whole number of each House of Congress
23 shall provide for such an increase by a rollcall vote.

24 “SECTION 6. Any Member of Congress shall have
25 standing and a cause of action to seek judicial enforce-

1 ment of this article, when authorized to do so by a petition
2 signed by one-third of the Members of either House of
3 Congress. No court of the United States or of any State
4 shall order any increase in revenue to enforce this article.

5 “SECTION 7. The Congress shall have the power to
6 enforce this article by appropriate legislation.

7 “SECTION 8. Total receipts shall include all receipts
8 of the United States except those derived from borrowing.
9 Total outlays shall include all outlays of the United States
10 except those for repayment of debt principal.

11 “SECTION 9. This article shall become effective begin-
12 ning with the tenth fiscal year commencing after its ratifi-
13 cation by the legislatures of three-fourths of the several
14 States.”.

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