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S SENATE DRS35198-LB-342 (03/25)

Short Title: Constitutional Convention/Balanced Budget. (Public)

Sponsors: Senator Rouzer.

Referred to:

A BILL TO BE ENTITLED

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AN ACT PETITIONING THE CONGRESS OF THE UNITED STATES TO ADOPT AN AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES, FOR SUBMISSION TO THE STATES, TO REQUIRE, WITH CERTAIN EXCEPTIONS, THAT THE FEDERAL BUDGET BE BALANCED; OR, IN THE ALTERNATIVE, TO CALL A CONVENTION FOR THE SOLE AND EXCLUSIVE PURPOSE OF PROPOSING SUCH AN AMENDMENT FOR SUBMISSION TO THE STATES FOR RATIFICATION.

Whereas, with each passing year this nation becomes more deeply in debt as its expenditures grossly and repeatedly exceed available revenues, so that the public debt now exceeds fourteen trillion dollars; and

Whereas, attempts to limit spending, including the impoundment of funds by the President of the United States, have resulted in strenuous assertions that the responsibility for appropriations is the constitutional duty of the Congress; and

Whereas, the unified budget does not reflect actual spending because of the exclusion of special outlays that are not in the budget; and

Whereas, knowledgeable planning and fiscal prudence require that the budget reflect all federal spending and that the budget be in balance; and

Whereas, fiscal irresponsibility at the federal level is one of the greatest economic threats that face our nation, we firmly believe that constitutional restraint is necessary to bring the fiscal discipline needed to reverse this trend; and

Whereas, under Article V of the Constitution of the United States, amendments to the Constitution of the United States may be proposed by the Congress whenever two-thirds of both houses deem it necessary, or on the application of the legislatures of two-thirds of the several states the Congress shall call a constitutional convention for the purpose of proposing amendments; Now, therefore,

The General Assembly of North Carolina enacts:

SECTION 1. The North Carolina General Assembly petitions the Congress of the United States to submit to the states for ratification an amendment to the Constitution of the United States, for submission to the states for ratification, requiring, with certain exceptions, that for each fiscal year the President of the United States submit and the Congress of the United States adopt a balanced federal budget.

SECTION 2. Subject to Section 3 of this act, the North Carolina General Assembly makes application to the Congress of the United States of America to call a convention for the specific and exclusive purpose of proposing an amendment to the Constitution of the United



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23 24 25 States, for submission to the states for ratification, requiring, with certain exceptions, that for each fiscal year the President of the United States submit and the Congress of the United States adopt a balanced federal budget. **SECTION 3.** If the Congress, no later than 90 days after the legislatures of

two-thirds of the states have made application for such convention, submits to the states for ratification an amendment to the Constitution of the United States similar in subject matter to that contained in this act, then the application for a convention under Section 2 of this act is withdrawn and shall no longer be of any force or effect.

SECTION 4. The application for a convention under Section 2 of this act is null and void, rescinded, and of no effect in the event that such convention not be limited to the aforementioned specific and exclusive purpose.

SECTION 5. The application shall be deemed null and void, rescinded, and of no effect in the event the Supreme Court of the United States rules that a convention cannot be limited to the subject stated in 34 such applications.

This application by this legislature constitutes a continuing **SECTION 6.** application in accordance with Article V of the Constitution of the United States until at least two-thirds of the legislatures of the several states have made application for a similar convention pursuant to Article V of the Constitution of the United States or the Congress has proposed an amendment to the Constitution of the United States similar in subject matter to that contained in this Joint Resolution.

SECTION 7. The Secretary of State shall transmit copies of this act to the Speaker and the Clerk of the United States House of Representatives, the President and the Secretary of the United States Senate, and the members of the North Carolina Congressional Delegation so that they may be apprised of the sense of the North Carolina General Assembly in this matter.

SECTION 8. This act is effective when it becomes law.

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