

**JOINT RESOLUTION CALLING FOR A BALANCED
BUDGET AMENDMENT TO THE U.S. CONSTITUTION**

2015 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Kraig Powell

Senate Sponsor: _____

LONG TITLE

General Description:

This joint resolution of the Legislature calls for an Article V convention to propose a balanced budget amendment to the United States Constitution.

Highlighted Provisions:

This resolution:

▶ applies to Congress for the calling of a convention of the states, limited to proposing an amendment to the United States Constitution requiring that, in the absence of a national emergency, the total of all federal appropriations made by Congress for a specified period not exceed the total of all estimated federal revenues for that period, together with any related and appropriate fiscal restraints;

▶ requests that this application be considered as covering the same subject matter as the presently outstanding balanced budget applications from other states;

▶ requests that this application be aggregated with the outstanding balanced budget applications from the other states for the purpose of attaining the two-thirds of states necessary to require the calling of a convention, but not be aggregated with any applications on any other subject;

▶ intends that the application made in this resolution constitute a continuing application, in accordance with Article V of the United States Constitution, until the legislatures of at least two-thirds of the several states have made applications on the



28 same subject; and

29 ▶ intends that this application supersede all previous applications by the Legislature of
30 the state of Utah on the same subject.

31 **Special Clauses:**

32 None



34 *Be it resolved by the Legislature of the state of Utah:*

35 WHEREAS, under Article V of the Constitution of the United States, "The Congress,
36 whenever two thirds of both houses shall deem it necessary, shall propose amendments to this
37 Constitution, or, on the application of the legislatures of two thirds of the several states, shall
38 call a convention for proposing amendments, which, in either case, shall be valid to all intents
39 and purposes, as part of this Constitution, when ratified by the legislatures of three fourths of
40 the several states, or by conventions in three fourths thereof"; and

41 WHEREAS, the Legislature of the state of Utah has determined that calling for a
42 balanced budget amendment to the United States Constitution is in the best interest of the
43 citizens of Utah and the citizens of the United States of America:

44 NOW, THEREFORE, BE IT RESOLVED that the Legislature of the state of Utah, by
45 this resolution, and under the provisions of Article V of the United States Constitution, applies
46 to Congress for the calling of a convention of the states limited to proposing an amendment to
47 the Constitution of the United States requiring that, in the absence of a national emergency, the
48 total of all federal appropriations made by Congress for a specified period may not exceed the
49 total of all estimated federal revenues for that period, together with any related and appropriate
50 fiscal restraints.

51 BE IT FURTHER RESOLVED that the Legislature of the state of Utah respectfully
52 requests that this application be considered as covering the same subject matter as the presently
53 outstanding balanced budget applications from other states, including, but not limited to,
54 previously adopted applications from Alabama, Alaska, Arkansas, Colorado, Delaware,
55 Florida, Georgia, Indiana, Iowa, Kansas, Louisiana, Maryland, Michigan, Mississippi,
56 Missouri, Nebraska, Nevada, New Hampshire, New Mexico, North Carolina, Ohio,
57 Pennsylvania, ~~Ĥ~~→ **South Dakota**, ←Ĥ Tennessee, and Texas.

58 BE IT FURTHER RESOLVED that the Legislature of the state of Utah respectfully

59 requests that this application be aggregated with the applications from those states for the
60 purpose of attaining the two-thirds of states necessary to require the calling of a convention, but
61 not be aggregated with any applications on any other subject.

62 BE IT FURTHER RESOLVED that the Legislature of the state of Utah intends that this
63 application constitute a continuing application in accordance with Article V of the Constitution
64 of the United States until the legislatures of at least two-thirds of the several states have made
65 applications on the same subject; provided, however, that the Legislature retains the authority
66 to rescind this resolution and thereby cancel this application at any time for any reason.

67 BE IT FURTHER RESOLVED that the Legislature of the state of Utah intends that
68 once the convention of the states applied for herein has been convened, the Legislature retains
69 full authority, at its sole discretion, to immediately rescind and thereby cancel this application
70 for convention if the convention moves to consider or propose any amendment or change to the
71 United States Constitution other than the amendment identified in this resolution.

72 BE IT FURTHER RESOLVED that the Legislature of the state of Utah intends that this
73 application supersede all previous applications by the Legislature on the same subject.

74 BE IT FURTHER RESOLVED that copies of this resolution be sent to the Vice
75 President of the United States, as President of the United States Senate, and to the Majority
76 Leader of the United States Senate, the Speaker of the United States House of Representatives,
77 and the members of Utah's congressional delegation.

Legislative Review Note
as of 1-9-15 11:05 AM

Office of Legislative Research and General Counsel