



Ohio Legislative Service Commission

Final Analysis

Daniel M. DeSantis

Am. S.J.R. 5

130th General Assembly
(As Adopted by the General Assembly)

- Sens.** Faber, Burke, LaRose, Coley, Schaffer, Hite, Beagle, Patton, Eklund, Hughes, Manning, Balderson, Seitz, Oelslager, Uecker, Peterson, Obhof, Jones, Bacon, Gardner, Lehner, Widener
- Reps.** R. Adams, Anielski, Blair, Blessing, Boose, Brown, Buchy, Burkley, Conditt, Derickson, Dovilla, Duffey, Grossman, Hackett, C. Hagan, Hall, Hayes, Hill, Hottinger, Huffman, Johnson, Kunze, Maag, McClain, McGregor, Retherford, Roegner, Romanchuk, Rosenberger, Ruhl, Scherer, Schuring, Sears, Smith, Stautberg, Stebelton, Terhar, Wachtmann, Batchelder

RESOLUTION SUMMARY

- Urges Congress to propose a balanced budget amendment to the U.S. Constitution.
- Applies to Congress, formally requesting that Congress call a convention limited to proposing an amendment to the U.S. Constitution to require a balanced budget, except in the event of a national emergency, together with any related and appropriate fiscal restraints.

CONTENT AND OPERATION

Application to Congress

The resolution urges Congress to propose a balanced budget amendment to the U.S. Constitution. The resolution also applies to Congress, pursuant to Article V of the U.S. Constitution, to call a convention of the states that is limited to proposing a constitutional amendment requiring that, in the absence of a national emergency, the total of all federal appropriations made by Congress for any fiscal year cannot exceed the total of all estimated federal revenues for that fiscal year, together with any related and appropriate fiscal restraints.

The resolution declares that the intention of the General Assembly is that matters may not be considered at the convention that do not pertain to an amendment requiring that, in the absence of a national emergency, the total of all federal appropriations made

by Congress for any fiscal year may not exceed the total of all estimated federal revenues for that fiscal year, together with any related and appropriate fiscal restraints.

The resolution also declares this application to Congress to be a continuing application until Congress has proposed a Constitutional amendment equivalent to the one proposed in the resolution *or* the legislatures of at least two-thirds (34) of the states have made applications on the same subject and a convention is called. For this purpose, the application is to be considered as covering the balanced budget amendment language of the presently outstanding balanced budget applications from other states, including previously adopted applications from Alabama, Alaska, Arkansas, Colorado, Delaware, Florida, Indiana, Iowa, Kansas, Maryland, Mississippi, Missouri, Nebraska, Nevada, New Hampshire, New Mexico, North Carolina, Pennsylvania, and Texas. The application is to be aggregated with those other applications but cannot be aggregated with any applications on any other subject.

Convention

If the convention called by Congress is not limited to considering a balanced budget amendment, the resolution authorizes the Ohio delegates participating in the convention to debate and vote only on a proposed amendment or amendments requiring that, in the absence of a national emergency, the total of all federal appropriations made by Congress for any fiscal year cannot exceed the total of all estimated federal revenues for that fiscal year, together with any related and appropriate fiscal restraints.

Distribution of the resolution

The resolution directs the Secretary of State to transmit copies of this application to the President and Secretary of the U.S. Senate and to the Speaker and Clerk of the U.S. House of Representatives, as well as to the Ohio members of those bodies. The Secretary of State also is to transmit copies to the presiding officers of each state legislature, requesting their cooperation.

HISTORY

ACTION	DATE
Introduced	10-10-13
Reported, S. Finance	10-30-13
Adopted Senate (28-3)	10-30-13
Reported, H. Policy and Legislative Oversight	11-19-13
Adopted House (63-30)	11-20-13
Senate concurs in House amendments (28-4)	11-20-13

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