Ohio Legislative Service Commission

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Fiscal Note & Local Impact Statement

Bill: Am. S.J.R. 5 of the 130th G.A. **Date**: November 20, 2013

Status: As Enacted **Sponsor**: Sen. Faber

Local Impact Statement Procedure Required: No

Contents: To propose a balanced budget amendment to the United States Constitution and applying to the Congress, pursuant to Article V of the United States Constitution, to call a convention for proposing a balanced budget amendment

State Fiscal Highlights

- The resolution may increase the Secretary of State's (SOS) administrative expenses related to certain requirements under the resolution. If there is any increase in such costs, it is likely to be minimal. Any such costs would be paid from the SOS's GRF line item 050321, Operating Expenses.

Local Fiscal Highlights

- No direct fiscal effect on political subdivisions.

Detailed Fiscal Analysis

The resolution proposes to apply to the Congress of the United States to call for a constitutional convention pursuant to Article V of the United States Constitution for proposing amendments. The resolution proposes an amendment that would require 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 specifies that this application constitutes a continuing application from the members of the General Assembly of Ohio in accordance with Article V of the Constitution of the United States until the legislatures of at least two-thirds of the several states have made applications on the same subject. This application would supersede all previous applications by the Ohio General Assembly on the same subject.

The resolution explicitly specifies that this application must be considered as covering the balanced budget amendment language of the presently outstanding balanced budget applications from other states, including previously adopted applications from several states as specified by the resolution.

The resolution specifies that if the convention called by the Congress is not limited to considering a balanced budget amendment, then any delegates, representatives, or participants from the State of Ohio that are asked to participate in the convention are authorized to debate and vote only on a proposed amendment or amendments to the United States Constitution requiring that in the absence of a national emergency the total of all federal appropriations made by the Congress for any fiscal year may not exceed the total of all estimated federal revenues for that fiscal year.

The resolution requires the Secretary of State (SOS) to transmit copies of this application to the President and Secretary of the Senate and to the Speaker and Clerk of the House of Representatives of the Congress, and copies to members of the Senate and House of Representatives from Ohio. The SOS must also transmit copies of this application to the presiding officers of each of the legislative houses in the several states, requesting their cooperation.

Fiscal effect

The resolution may increase the SOS's administrative expenses related to certain requirements under the resolution. If there is any increase in such costs, it is likely to be minimal. Any such costs would be paid from the SOS's GRF line item 050321, Operating Expenses. This resolution has no direct fiscal impact on local governments. Article V provides that a constitutional convention may be called by Congress on the application of two-thirds of the state legislatures of specified states including Ohio. Since this resolution has been approved, a constitutional convention may be called by the U.S. Congress.