**South Carolina General Assembly**

123rd Session, 2019-2020

**H. 5262**

**STATUS INFORMATION**

Concurrent Resolution

Sponsors: Reps. G.M. Smith, Felder, B. Newton, Martin, Allison, Bennett and Hixon

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Introduced in the House on February 19, 2020

Currently residing in the House Committee on **Judiciary**

Summary: Congress; propose for ratification of an amendment to US Constitution which requires balanced federal budget

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

2/19/2020 House Introduced ([House Journal‑page 57](file:///h:\hj\20200219.docx))

2/19/2020 House Referred to Committee on **Judiciary** ([House Journal‑page 57](file:///h:\hj\20200219.docx))

3/9/2020 House Member(s) request name added as sponsor: Hixon

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=5262&session=123&summary=B) at the website

**VERSIONS OF THIS BILL**

[2/19/2020](file:///p:\pprever\2019-20\5262_20200219.docx)

**A** **CONCURRENT RESOLUTION**

TO MAKE A FORMAL APPLICATION TO CONGRESS UNDER ARTICLE V OF THE UNITED STATES CONSTITUTION TO CALL A CONVENTION FOR THE SOLE PURPOSE OF PROPOSING FOR RATIFICATION OF AN AMENDMENT TO THE UNITED STATES CONSTITUTION WHICH REQUIRES A BALANCED FEDERAL BUDGET.

Whereas, the General Assembly of the State of South Carolina applies to Congress, under the provisions of Article V of the Constitution of the United States, for the calling of a convention of the states, limited to proposing an amendment to the Constitution of the United States, requiring that, in the absence of a national emergency, the total of all federal outlays made by the 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; and

Whereas, Article V of the Constitution of the United States mandates that upon the “Application of the Legislatures of two thirds of the several States” Congress shall “call a Convention for proposing Amendments”; and

Whereas, the legislature considers an amendment to the United States Constitution requiring a balanced federal budget is necessary for the good of the American people; and

Whereas, this application is to be considered as covering the balanced budget amendment language of the presently outstanding balanced budget applications from other states including, but not limited to, previously adopted applications from Alabama (SJR100‑2011), Alaska (1982), Arizona (HCR 2013‑2017), Arkansas (HJR 1‑1979), Colorado (SJM1‑1978), Florida (SM 658‑2014), Georgia (SR 371‑2014), Indiana (SJR 8‑1979), Iowa (SJR 1‑1979), Kansas (SCR 1661‑1979), Louisiana (HCR 70‑2014), Michigan (SJR V‑2014), Mississippi (HCR 51‑1975), Missouri (SCR 3‑1983), Nebraska (LR 106‑1979), New Hampshire (HCR 40‑2012), North Carolina (SJR 1‑1979), North Dakota (HCR 3015‑2015), Ohio (SJR 5‑2013), Oklahoma (SJR 4‑2016), Pennsylvania (R 236‑1979), South Dakota (HJR 1001‑2015), Tennessee (HJR 548‑2014), Texas (HCR 31‑1979), Utah (HJR 7‑2015), West Virginia (HCR 36‑2016), Wisconsin (AJR 21‑2017), and Wyoming (HJ 2‑2017); and

Whereas, this application must be aggregated for the purpose of attaining the two‐thirds of states necessary to require the calling of a convention for proposing a balanced budget amendment, but may not be aggregated with any applications on any other subject; and

Whereas, this application constitutes a continuing application 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. It supersedes all previous applications by this legislature on the same subject. Now, therefore,

Be it resolved by the House of Representatives, the Senate concurring:

That the members of the General Assembly of South Carolina, by this resolution, make a formal application to Congress under Article V of the United States Constitution to call a convention for the sole purpose of proposing for ratification of an amendment to the United States Constitution which requires a balanced federal budget.

Be it further resolved that the Secretary of State is hereby directed 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 the members of the said Senate and House of Representatives from this State; also to transmit copies hereof to the presiding officers of each of the legislative houses in the several states, requesting their cooperation.

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