



Ohio Legislative Service Commission

Resolution Analysis

Daniel M. DeSantis

H.J.R. 7

130th General Assembly
(As Introduced)

Reps. Huffman, Hottinger, Scherer, Beck, Stebelton, Duffey, Lynch, Buchy, Terhar, Boose, Rosenberger, Hall, Conditt, Blessing, Dovilla, Derickson, Grossman, Smith, Johnson, Amstutz, Butler, Romanchuk, Blair, McGregor, Slaby, R. Adams, Stautberg, McClain, Roegner, Brown

BILL SUMMARY

- Applies to Congress, formally requesting that Congress call a constitutional convention to propose an amendment to the United States Constitution that would require Congress, in the absence of a national emergency, to balance the federal budget each fiscal year.

CONTENT AND OPERATION

Application to Congress

Article V of the United State Constitution provides that Congress, on the application of the legislatures of two thirds of the states, must call a convention for proposing amendments to the constitution. This resolution serves as such an application from the General Assembly of Ohio.

The resolution specifically calls for 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 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 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. And the resolution asserts that it must be aggregated with applications from those other states for the purpose of attaining the two-thirds of states necessary to require the calling of a convention for proposing a balanced budget amendment. The resolution specifies that it may not be aggregated with any applications on any other subject.

The resolution also specifies that it 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 the General Assembly on the same subject.

The resolution requires the Secretary of State to transmit copies of the resolution 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 Senate and House of Representatives from Ohio; and also to transmit copies to the presiding officers of each of the legislative houses in the other states, requesting their cooperation.

HISTORY

| ACTION | DATE |
|------------|----------|
| Introduced | 08-29-13 |

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