COMMITTEE REPORT

February 23, 2022

**S. 141**

Introduced by Senators Massey, Rice, Hembree, Bennett, Young, Senn, Kimbrell, Cash, Gustafson and Verdin

S. Printed 2/23/22--S.

Read the first time January 12, 2021.

**THE COMMITTEE ON JUDICIARY**

To whom was referred a Concurrent Resolution (S. 141) to make application by the State of South Carolina under Article V of the United States Constitution for a Convention of the States to be called, restricted to proposing an amendment to, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass:

LUKE A. RANKIN for Committee.

**STATEMENT OF ESTIMATED FISCAL IMPACT**

**Explanation of Fiscal Impact**

**State Expenditure**

This concurrent resolution allows the General Assembly to apply to the Congress of the United States for the calling of a convention of the states with the purpose of proposing amendments to the United States Constitution related to federal spending and balancing the federal budget. We anticipate this concurrent resolution can be managed within the normal course of business for the Senate and the House of Representatives. Therefore, this concurrent resolution will have no expenditure impact.

Frank A. Rainwater, Executive Director

Revenue and Fiscal Affairs Office

**A** **CONCURRENT RESOLUTION**

TO MAKE APPLICATION BY THE STATE OF SOUTH CAROLINA UNDER ARTICLE V OF THE UNITED STATES CONSTITUTION FOR A CONVENTION OF THE STATES TO BE CALLED, RESTRICTED TO PROPOSING AN AMENDMENT TO THE UNITED STATES CONSTITUTION TO IMPOSE FISCAL RESTRAINTS ON THE FEDERAL GOVERNMENT THROUGH A BALANCED BUDGET AMENDMENT.

Whereas, the annual federal budget is not in balance, and the federal public debt is now more than twenty-seven trillion dollars; and

Whereas, continued deficit spending demonstrates an unwillingness or inability of both the federal executive and legislative branches to spend no more than available revenues; and

Whereas, fiscal irresponsibility at the federal level is lowering our standard of living, destroying jobs, and endangering economic opportunity now and for the next generation. Now, therefore,

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

That the General Assembly of the State of South Carolina hereby 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 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.

Be it further resolved that copies of this application must be transmitted to the President of the United States, the Secretary of the United States Senate, the Speaker and Clerk of the United States House of Representatives, and the members of the United States Senate and the United States House of Representatives from this State.

Be it further resolved that copies of this resolution must also be transmitted to the presiding officers of each of the legislative houses in the several states, requesting their cooperation in this endeavor.

Be it further resolved that 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. This application supersedes all previous applications by this General Assembly on the same subject.

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