118TH CONGRESS 1ST SESSION S.
Proposing a balanced budget amendment to the Constitution of the United States.
IN THE SENATE OF THE UNITED STATES
Mr. Tester introduced the following bill; which was read twice and referred to the Committee on

A BILL

Proposing a balanced budget amendment to the Constitution of the United States.

- 1 Be it enacted by the Senate and House of Representa-
- 2 tives of the United States of America in Congress assembled,
- 3 That the following article is proposed as an amendment
- 4 to the Constitution of the United States, which shall be
- 5 valid to all intents and purposes as part of the Constitu-
- 6 tion when ratified by the legislatures of three-fourths of
- 7 the several States within seven years after the date of its
- 8 submission by the Congress:

1	"Article —
1	

- 2 "Section 1. Total outlays for any fiscal year shall
- 3 not exceed total receipts for that fiscal year, unless three-
- 4 fifths of the whole number of each House of Congress shall
- 5 provide by law for a specific excess of outlays over receipts
- 6 by a roll call vote.
- 7 "Section 2. Prior to each fiscal year, the President
- 8 shall transmit to the Congress a proposed budget for the
- 9 United States Government for that fiscal year in which
- 10 total outlays do not exceed total receipts.
- 11 "Section 3. Sections 1 and 2 of this Article shall
- 12 not apply during any fiscal year in which a declaration
- 13 of war is in effect or in which the United States is engaged
- 14 in military conflict which causes an imminent and serious
- 15 military threat to national security and is so declared by
- 16 a joint resolution, adopted by a majority of the whole num-
- 17 ber of each House, which becomes law.
- 18 "Section 4. Section 1 of this Article shall not apply
- 19 during a fiscal year if, during that fiscal year or the pre-
- 20 ceding fiscal year, the economy of the United States grew
- 21 by less than an annualized rate of 0.0 percent in real gross
- 22 domestic product during 2 or more consecutive quarters
- 23 or the unemployment rate was more than 7 percent during
- 24 2 or more consecutive months.

1 "Section 2 of this Article shall not apply to a fiscal

- 2 year if, during the 1-year period ending on the date on
- 3 which the President transmits to Congress a proposed
- 4 budget for the United States Government for that fiscal
- 5 year, the economy of the United States grew by less than
- 6 an annualized rate of 0.0 percent in real gross domestic
- 7 product during 2 or more consecutive quarters or the un-
- 8 employment rate was more than 7 percent during 2 or
- 9 more consecutive months.
- 10 "Section 5. Congress shall enforce and implement
- 11 this article by appropriate legislation, which may rely on
- 12 estimates of outlays and receipts.
- "Section 6. Except as provided in the second and
- 14 third clauses, total receipts shall include all receipts of the
- 15 United States Government other than those derived from
- 16 borrowing, and total outlays shall include all outlays of
- 17 the United States Government other than those for repay-
- 18 ment of debt principal.
- 19 "For each fiscal year, the receipts (including attrib-
- 20 utable interest) and outlays of the Federal Old-Age and
- 21 Survivors Insurance Trust Fund, the Federal Medicare
- 22 Hospital Insurance Trust Fund, the Federal Disability In-
- 23 surance Trust Fund, or any fund that is a successor to
- 24 any such fund, shall not be considered to be receipts or
- 25 outlays for purposes of this article.

1 "For any fiscal year, outlays relating to a natural dis-

- 2 aster shall not be considered to be outlays for purposes
- 3 of this article if the law making the amounts available ex-
- 4 plicitly exempts the outlays from this article and is agreed
- 5 to by a majority of the whole number of each House.
- 6 "Section 7. No court of the United States or of any
- 7 State shall enforce this article by ordering any reduction
- 8 in Social Security or Medicare payments authorized by
- 9 law, including any amounts paid from the Federal Old-
- 10 Age and Survivors Insurance Trust Fund, the Federal
- 11 Medicare Hospital Insurance Trust Fund, the Federal
- 12 Disability Insurance Trust Fund, or any fund that is a
- 13 successor to any such fund, unless the receipts (including
- 14 attributable interest) and other amounts available for that
- 15 fund for the applicable fiscal year are not sufficient to
- 16 cover the outlays that would otherwise occur during that
- 17 fiscal year if the fund were fully solvent.
- 18 "Section 8. This article shall take effect beginning
- 19 with the fifth fiscal year beginning after its ratification.".