State of Arizona
House of Representatives
Fifty-third Legislature
First Regular Session
2017

HOUSE BILL 2226

AN ACT

AMENDING TITLE 41, CHAPTER 2.1, ARIZONA REVISED STATUTES, BY ADDING ARTICLE 2; RELATING TO THE COMPACT REGARDING A BALANCED BUDGET AMENDMENT UNDER ARTICLE V OF THE UNITED STATES CONSTITUTION.

(TEXT OF BILL BEGINS ON NEXT PAGE)
Be it enacted by the Legislature of the State of Arizona:

Section 1. Title 41, chapter 2.1, Arizona Revised Statutes, is amended by adding article 2, to read:

ARTICLE 2. COMPACT FOR A BALANCED BUDGET

41-451. Adoption of compact; text of compact

The Compact for a Balanced Budget is enacted into law as follows:

Compact for a Balanced Budget

The State of Arizona enacts, adopts and agrees to be bound by the following compact:

ARTICLE I

Declaration of Policy, Purpose and Intent

Whereas, every State enacting, adopting and agreeing to be bound by this compact intends to ensure that their respective legislature's use of the power to originate a balanced budget amendment under Article V of the Constitution of the United States will be exercised conveniently and with reasonable certainty as to the consequences thereof.

Now, therefore, in consideration of their expressed mutual promises and obligations, be it enacted by every state enacting, adopting and agreeing to be bound by this compact, and resolved by each of their respective legislatures, as the case may be, to exercise herewith all of their respective powers as set forth herein notwithstanding any law to the contrary.

ARTICLE II

Definitions

Section 1. "Compact" means this "Compact for a Balanced Budget."

Section 2. "Convention" means the convention for proposing amendments organized by this compact under Article V of the Constitution of the United States and, where contextually appropriate to ensure the terms of this compact are not evaded, any other similar gathering or body, which might be organized as a consequence of Congress receiving the application set out in this compact and claim authority to propose or effectuate any amendment, alteration or revision to the Constitution of the United States. This term does not encompass a convention for proposing amendments under Article V of the Constitution of the United States that is organized independently of this compact based on the separate and distinct application of any state.

Section 3. "State" means one of the several states of the United States. Where contextually appropriate, the term "State" shall be construed to include all of its branches, departments, agencies, political subdivisions, and officers and representatives acting in their official capacity.

Section 4. "Member State" means a state that has enacted, adopted and agreed to be bound to this compact. For any state to qualify as a member state with respect to any other state under this compact, each such
STATE MUST HAVE ENACTED, ADOPTED AND AGREED TO BE BOUND BY SUBSTANTIALLY IDENTICAL COMPACT LEGISLATION.


SECTION 6. NOTICE. ALL NOTICES REQUIRED BY THIS COMPACT SHALL BE BY U.S. CERTIFIED MAIL, RETURN RECEIPT REQUESTED, OR AN EQUIVALENT OR SUPERIOR FORM OF NOTICE, SUCH AS PERSONAL DELIVERY DOCUMENTED BY EVIDENCE OF ACTUAL RECEIPT.

SECTION 7. "BALANCED BUDGET AMENDMENT" MEANS THE FOLLOWING:

"ARTICLE __

SECTION 1. TOTAL OUTLAYS OF THE GOVERNMENT OF THE UNITED STATES SHALL NOT EXCEED TOTAL RECEIPTS OF THE GOVERNMENT OF THE UNITED STATES AT ANY POINT IN TIME UNLESS THE EXCESS OF OUTLAYS OVER RECEIPTS IS FINANCED EXCLUSIVELY BY DEBT ISSUED IN STRICT CONFORMITY WITH THIS ARTICLE.

SECTION 2. OUTSTANDING DEBT SHALL NOT EXCEED AUTHORIZED DEBT, WHICH INITIALLY SHALL BE AN AMOUNT EQUAL TO 105 PERCENT OF THE OUTSTANDING DEBT ON THE EFFECTIVE DATE OF THIS ARTICLE. AUTHORIZED DEBT SHALL NOT BE INCREASED ABOVE ITS AFORESAID INITIAL AMOUNT UNLESS SUCH INCREASE IS FIRST APPROVED BY THE LEGISLATURES OF THE SEVERAL STATES AS PROVIDED IN SECTION 3.

SECTION 3. FROM TIME TO TIME, CONGRESS MAY INCREASE AUTHORIZED DEBT TO AN AMOUNT IN EXCESS OF ITS INITIAL AMOUNT SET BY SECTION 2 ONLY IF IT FIRST PUBLICLY REFERS TO THE LEGISLATURES OF THE SEVERAL STATES AN UNCONDITIONAL, SINGLE SUBJECT MEASURE PROPOSING THE AMOUNT OF SUCH INCREASE, IN SUCH FORM AS PROVIDED BY LAW, AND THE MEASURE IS THEREAFTER PUBLICLY AND UNCONDITIONALLY APPROVED BY A SIMPLE MAJORITY OF THE LEGISLATURES OF THE SEVERAL STATES, IN SUCH FORM AS PROVIDED RESPECTIVELY BY STATE LAW; PROVIDED THAT NO INDUCEMENT REQUIRING AN EXPENDITURE OR TAX LEVY SHALL BE DEMANDED, OFFERED OR ACCEPTED AS A QUID PRO QUO FOR SUCH APPROVAL. IF SUCH APPROVAL IS NOT OBTAINED WITHIN SIXTY (60) CALENDAR DAYS AFTER REFERRAL THEN THE MEASURE SHALL BE DEEMED DISAPPROVED AND THE AUTHORIZED DEBT SHALL THEREBY REMAIN UNCHANGED.

SECTION 4. WHENEVER THE OUTSTANDING DEBT EXCEEDS 98 PERCENT OF THE DEBT LIMIT SET BY SECTION 2, THE PRESIDENT SHALL ENFORCE SAID LIMIT BY PUBLICLY DESIGNATING SPECIFIC EXPENDITURES FOR IMPOUNDMENT IN AN AMOUNT SUFFICIENT TO ENSURE OUTSTANDING DEBT SHALL NOT EXCEED THE AUTHORIZED DEBT. SAID IMPOUNDMENT SHALL BECOME EFFECTIVE THIRTY (30) DAYS THEREAFTER, UNLESS CONGRESS FIRST DESIGNATES AN ALTERNATE IMPOUNDMENT OF THE SAME OR GREATER AMOUNT BY CONCURRENT RESOLUTION, WHICH SHALL BECOME IMMEDIATELY EFFECTIVE. THE FAILURE OF THE PRESIDENT TO DESIGNATE OR
ENFORCE THE REQUIRED IMPOUNDMENT IS AN IMPEACHABLE MISDEMEANOR. ANY
PURPORTED ISSUANCE OR INCURRENCE OF ANY DEBT IN EXCESS OF THE DEBT LIMIT
SET BY SECTION 2 IS VOID.

SECTION 5. NO BILL THAT PROVIDES FOR A NEW OR INCREASED GENERAL
REVENUE TAX SHALL BECOME LAW UNLESS APPROVED BY A TWO-THIRDS ROLL CALL
VOTE OF THE WHOLE NUMBER OF EACH HOUSE OF CONGRESS. HOWEVER, THIS
REQUIREMENT SHALL NOT APPLY TO ANY BILL THAT PROVIDES FOR A NEW END USER
SALES TAX WHICH WOULD COMPLETELY REPLACE EVERY EXISTING INCOME TAX LEVIED
BY THE GOVERNMENT OF THE UNITED STATES; OR FOR THE REDUCTION OR
ELIMINATION OF AN EXEMPTION, DEDUCTION, OR CREDIT ALLOWED UNDER AN
EXISTING GENERAL REVENUE TAX.

SECTION 6. FOR PURPOSES OF THIS ARTICLE, "DEBT" MEANS ANY
OBLIGATION BACKED BY THE FULL FAITH AND CREDIT OF THE GOVERNMENT OF THE
UNITED STATES; "OUTSTANDING DEBT" MEANS ALL DEBT HELD IN ANY ACCOUNT AND
BY ANY ENTITY AT A GIVEN POINT IN TIME; "AUTHORIZED DEBT" MEANS THE
MAXIMUM TOTAL AMOUNT OF DEBT THAT MAY BE LAWFULLY ISSUED AND OUTSTANDING
AT ANY SINGLE POINT IN TIME UNDER THIS ARTICLE; "TOTAL OUTLAYS OF THE
GOVERNMENT OF THE UNITED STATES" MEANS ALL EXPENDITURES OF THE GOVERNMENT
OF THE UNITED STATES FROM ANY SOURCE; "TOTAL RECEIPTS OF THE GOVERNMENT OF
THE UNITED STATES" MEANS ALL TAX RECEIPTS AND OTHER INCOME OF THE
GOVERNMENT OF THE UNITED STATES, EXCLUDING PROCEEDS FROM ITS ISSUANCE OR
INCURRENCE OF DEBT OR ANY TYPE OF LIABILITY; "IMPOUNDMENT" MEANS A
PROPOSAL NOT TO SPEND ALL OR PART OF A SUM OF MONEY APPROPRIATED BY
CONGRESS; AND "GENERAL REVENUE TAX" MEANS ANY INCOME TAX, SALES TAX, OR
VALUE-ADDED TAX LEVIED BY THE GOVERNMENT OF THE UNITED STATES EXCLUDING
IMPOSTS AND DUTIES.

SECTION 7. THIS ARTICLE IS IMMEDIATELY OPERATIVE UPON RATIFICATION,
SELF-ENFORCING, AND CONGRESS MAY ENACT CONFORMING LEGISLATION TO
FACILITATE ENFORCEMENT."

ARTICLE III
COMPACT MEMBERSHIP AND WITHDRAWAL

SECTION 1. THIS COMPACT GOVERNS EACH MEMBER STATE TO THE FULLEST
EXTENT PERMITTED BY THEIR RESPECTIVE CONSTITUTIONS, SUPERSEDING AND
REPEALING ANY CONFLICTING OR CONTRARY LAW.

SECTION 2. BY BECOMING A MEMBER STATE, EACH SUCH STATE OFFERS,
PROMISES AND AGREES TO PERFORM AND COMPLY STRICTLY IN ACCORDANCE WITH THE
TERMS AND CONDITIONS OF THIS COMPACT, AND HAS MADE SUCH OFFER, PROMISE AND
AGREEMENT IN ANTICIPATION AND CONSIDERATION OF, AND IN SUBSTANTIAL
RELIANCE UPON, SUCH MUTUAL AND RECIPROCAL PERFORMANCE AND COMPLIANCE BY
EACH OTHER CURRENT AND FUTURE MEMBER STATE, IF ANY. ACCORDINGLY, IN
ADDITION TO HAVING THE FORCE OF LAW IN EACH MEMBER STATE UPON ITS
RESPECTIVE EFFECTIVE DATE, THIS COMPACT AND EACH OF ITS ARTICLES SHALL
ALSO BE CONSTRUED AS CONTRACTUALLY BINDING EACH MEMBER STATE WHEN:
(a) AT LEAST ONE OTHER STATE HAS LIKewise BECOME A MEMBER STATE BY
ENACTING SUBSTANTIVELY IDENTICAL LEGISLATION ADOPTING AND AGREEING TO BE
BOUND BY THIS COMPACT; AND
(b) NOTICE OF SUCH STATE’S MEMBER STATE STATUS IS OR HAS BEEN
SEASONABLY RECEIVED BY THE COMPACT ADMINISTRATOR, IF ANY, OR OTHERWISE BY
THE CHIEF EXECUTIVE OFFICER OF EACH OTHER MEMBER STATE.
SECTION 3. FOR PURPOSES OF DETERMINING MEMBER STATE STATUS UNDER
THIS COMPACT, AS LONG AS ALL OTHER PROVISIONS OF THE COMPACT REMAIN
IDENTICAL AND OPERATIVE ON THE SAME TERMS, LEGISLATION ENACTING, ADOPTING
AND AGREEING TO BE BOUND BY THIS COMPACT SHALL BE DEEMED AND REGARDED AS
"SUBSTANTIVELY IDENTICAL" WITH RESPECT TO SUCH OTHER LEGISLATION ENACTED
BY ANOTHER STATE NOTWITHSTANDING:
(a) ANY DIFFERENCE IN SECTION 2 OF ARTICLE IV WITH SPECIFIC REGARD
TO THE RESPECTIVELY ENACTING STATE’S OWN METHOD OF APPOINTING ITS MEMBER
TO THE COMMISSION;
(b) ANY DIFFERENCE IN SECTION 5 OF ARTICLE IV WITH SPECIFIC REGARD
TO THE RESPECTIVELY ENACTING STATE’S OWN OBLIGATION TO FUND THE
COMMISSION;
(c) ANY DIFFERENCE IN SECTIONS 1 AND 2 OF ARTICLE VI WITH SPECIFIC
REGARD TO THE NUMBER AND IDENTITY OF EACH DELEGATE RESPECTIVELY APPOINTED
ON BEHALF OF THE ENACTING STATE, PROVIDED THAT NO MORE THAN THREE
DELEGATES MAY ATTEND AND PARTICIPATE IN THE CONVENTION ON BEHALF OF ANY
STATE; OR
(d) ANY DIFFERENCE IN SECTION 7 OF ARTICLE X WITH SPECIFIC REGARD
TO THE RESPECTIVELY ENACTING STATE AS TO WHETHER SECTION 1 OF ARTICLE V OF
THIS COMPACT SHALL SURVIVE TERMINATION OF THE COMPACT, AND THEREAFTER
BECOME A CONTINUING RESOLUTION OF THE LEGISLATURE OF SUCH STATE APPLYING
TO CONGRESS FOR THE CALLING OF A CONVENTION OF THE STATES UNDER ARTICLE V
OF THE CONSTITUTION OF THE UNITED STATES, UNDER SUCH TERMS AND LIMITATIONS
AS MAY BE SPECIFIED BY SUCH STATE.
SECTION 4. WHEN FEWER THAN THREE-FOURTHS OF THE STATES ARE MEMBER
STATES, ANY MEMBER STATE MAY WITHDRAW FROM THIS COMPACT BY ENACTING
APPROPRIATE LEGISLATION, AS DETERMINED BY STATE LAW, AND GIVING NOTICE OF
SUCH WITHDRAWAL TO THE COMPACT ADMINISTRATOR, IF ANY, OR OTHERWISE TO THE
CHIEF EXECUTIVE OFFICER OF EACH OTHER MEMBER STATE. A WITHDRAWAL SHALL
NOT AFFECT THE VALIDITY OR APPLICABILITY OF THE COMPACT WITH RESPECT TO
REMAINING MEMBER STATES, PROVIDED THAT THERE REMAIN AT LEAST TWO SUCH
STATES. HOWEVER, ONCE AT LEAST THREE-FOURTHS OF THE STATES ARE MEMBER
STATES, THEN NO MEMBER STATE MAY WITHDRAW FROM THE COMPACT PRIOR TO ITS
TERMINATION ABSENT UNANIMOUS CONSENT OF ALL MEMBER STATES.
ARTICLE IV
COMPACT COMMISSION AND COMPACT ADMINISTRATOR
SECTION 1. NATURE OF THE COMPACT COMMISSION. THE COMPACT
COMMISSION ("COMMISSION") IS HEREBY ESTABLISHED. IT HAS THE POWER AND
DUTY:
(a) TO APPOINT AND OVERSEE A COMPACT ADMINISTRATOR;
(b) TO ENCOURAGE STATES TO JOIN THE COMPACT AND CONGRESS TO CALL
THE CONVENTION IN ACCORDANCE WITH THIS COMPACT;
(c) TO COORDINATE THE PERFORMANCE OF OBLIGATIONS UNDER THE COMPACT;
(d) TO OVERSEE THE CONVENTION'S LOGISTICAL OPERATIONS AS
APPROPRIATE TO ENSURE THIS COMPACT GOVERS ITS PROCEEDINGS;
(e) TO OVERSEE THE DEFENSE AND ENFORCEMENT OF THE COMPACT IN
APPROPRIATE LEGAL VENUES;
(f) TO REQUEST FUNDS AND TO DISBURSE THOSE FUNDS TO SUPPORT THE
OPERATIONS OF THE COMMISSION, COMPACT ADMINISTRATOR, AND CONVENTION; AND
(g) TO COOPERATE WITH ANY ENTITY THAT SHARES A COMMON INTEREST WITH
THE COMMISSION AND ENGAGES IN POLICY RESEARCH, PUBLIC INTEREST LITIGATION
OR LOBBYING IN SUPPORT OF THE PURPOSES OF THE COMPACT.
THE COMMISSION SHALL ONLY HAVE SUCH IMPLIED POWERS AS ARE ESSENTIAL TO
CARRYING OUT THESE EXPRESS POWERS AND DUTIES. IT SHALL TAKE NO ACTION
THAT CONTRAVENES OR IS INCONSISTENT WITH THIS COMPACT OR ANY LAW OF ANY
STATE THAT IS NOT SUPERSEDED BY THIS COMPACT. IT MAY ADOPT AND PUBLISH
CORRESPONDING BYLAWS AND POLICIES.

SECTION 2. COMMISSION MEMBERSHIP. THE COMMISSION INITIALLY
CONSISTS OF THREE UNPAID MEMBERS. EACH MEMBER STATE MAY APPOINT ONE
MEMBER TO THE COMMISSION THROUGH AN APPOINTMENT PROCESS TO BE DETERMINED
BY THEIR RESPECTIVE CHIEF EXECUTIVE OFFICER UNTIL ALL POSITIONS ON THE
COMMISSION ARE FILLED. POSITIONS SHALL BE ASSIGNED TO APPOINTEES IN THE
ORDER IN WHICH THEIR RESPECTIVE APPOINTING STATES BECAME MEMBER STATES.
THE BYLAWS OF THE COMMISSION MAY EXPAND ITS MEMBERSHIP TO INCLUDE
REPRESENTATIVES OF ADDITIONAL MEMBER STATES AND TO ALLOW FOR MODEST
SALARIES AND REIMBURSEMENT OF EXPENSES IF ADEQUATE FUNDING EXISTS.

SECTION 3. COMMISSION ACTION. EACH COMMISSION MEMBER IS ENTITLED
TO ONE VOTE. THE COMMISSION SHALL NOT ACT UNLESS A MAJORITY OF ITS
APPOINTED MEMBERSHIP IS PRESENT, AND NO ACTION SHALL BE BINDING UNLESS
APPROVED BY A MAJORITY OF THE COMMISSION'S APPOINTED MEMBERSHIP. THE
COMMISSION SHALL MEET AT LEAST ONCE A YEAR, AND MAY MEET MORE FREQUENTLY.

SECTION 4. FIRST ORDER OF BUSINESS. THE COMMISSION SHALL AT THE
EARLIEST POSSIBLE TIME ELECT FROM AMONG ITS MEMBERSHIP A CHAIRPERSON,
Determine A PRIMARY PLACE OF DOING BUSINESS, AND APPOINT A COMPACT
ADMINISTRATOR.

SECTION 5. FUNDING. THE COMMISSION AND THE COMPACT ADMINISTRATOR'S
ACTIVITIES SHALL BE FUNDED EXCLUSIVELY BY EACH MEMBER STATE, AS DETERMINED
BY THEIR RESPECTIVE STATE LAW, OR BY VOLUNTARY DONATIONS.

SECTION 6. COMPACT ADMINISTRATOR. THE COMPACT ADMINISTRATOR HAS
THE POWER AND DUTY:
(a) TO TIMELY NOTIFY THE STATES OF THE DATE, TIME AND LOCATION OF
THE CONVENTION;
(b) TO ORGANIZE AND DIRECT THE LOGISTICAL OPERATIONS OF THE
CONVENTION;
(c) TO MAINTAIN AN ACCURATE LIST OF ALL MEMBER STATES, THEIR
APPOINTED DELEGATES, INCLUDING CONTACT INFORMATION; AND
(d) TO FORMULATE, TRANSMIT, AND MAINTAIN ALL OFFICIAL NOTICES,
RECORDS, AND COMMUNICATIONS RELATING TO THIS COMPACT.
THE COMPACT ADMINISTRATOR SHALL ONLY HAVE SUCH IMPLIED POWERS AS ARE ESSENTIAL TO CARRYING OUT THESE EXPRESS POWERS AND DUTIES; AND SHALL TAKE NO ACTION THAT CONTRAVENES OR IS INCONSISTENT WITH THIS COMPACT OR ANY LAW OF ANY STATE THAT IS NOT SUPERSEDED BY THIS COMPACT. THE COMPACT ADMINISTRATOR SERVES AT THE PLEASURE OF THE COMMISSION AND MUST KEEP THE COMMISSION SEASONABLY APPRISED OF THE PERFORMANCE OR NONPERFORMANCE OF THE TERMS AND CONDITIONS OF THIS COMPACT. ANY NOTICE SENT BY A MEMBER STATE TO THE COMPACT ADMINISTRATOR CONCERNING THIS COMPACT SHALL BE ADEQUATE NOTICE TO EACH OTHER MEMBER STATE PROVIDED THAT A COPY OF SAID NOTICE IS SEASONABLY DELIVERED BY THE COMPACT ADMINISTRATOR TO EACH OTHER MEMBER STATE'S RESPECTIVE CHIEF EXECUTIVE OFFICER.

SECTION 7. NOTICE OF KEY EVENTS. UPON THE OCCURRENCE OF EACH OF THE FOLLOWING DESCRIBED EVENTS, OR OTHERWISE AS SOON AS POSSIBLE, THE COMPACT ADMINISTRATOR SHALL IMMEDIATELY SEND THE FOLLOWING NOTICES TO ALL COMPACT NOTICE RECIPIENTS, TOGETHER WITH CERTIFIED CONFORMING COPIES OF THE CHAPTERED VERSION OF THIS COMPACT AS MAINTAINED IN THE STATUTES OF EACH MEMBER STATE:

(a) WHenever any state becomes a member state, notice of that fact shall be given;
(b) once at least three-fourths of the states are member states, notice of that fact shall be given together with a statement declaring that the legislatures of at least two-thirds of the several states have applied for a convention for proposing amendments under article V of the constitution of the United States, petitioning Congress to call the convention contemplated by this compact, and further requesting cooperation in organizing the same in accordance with this compact;
(c) once Congress has called the convention contemplated by this compact, and whenever the date, time and location of the convention has been determined, notice of that fact shall be given together with the date, time and location of the convention and other essential logistical matters;
(d) upon approval of the balanced budget amendment by the convention, notice of that fact shall be given together with the transmission of certified copies of such approved proposed amendment and a statement requesting Congress to refer the same for ratification by three-fourths of the legislatures of the several states under article V of the constitution of the United States (however, in no event shall any proposed amendment other than the balanced budget amendment be transmitted); and
(e) when any article of this compact prospectively ratifying the balanced budget amendment is effective in any member state, notice of the same shall be given together with a statement declaring such ratification.
AND FURTHER REQUESTING COOPERATION IN ENSURING THAT THE OFFICIAL RECORD CONFIRMS AND REFLECTS THE EFFECTIVE CORRESPONDING AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES.

HOWEVER, WHENEVER ANY MEMBER STATE ENACTS APPROPRIATE LEGISLATION, AS DETERMINED BY THE LAWS OF THE RESPECTIVE STATE, WITHDRAWING FROM THIS COMPACT, THE COMPACT ADMINISTRATOR SHALL IMMEDIATELY SEND CERTIFIED CONFORMING COPIES OF THE CHAPTERED VERSION OF SUCH WITHDRAWAL LEGISLATION AS MAINTAINED IN THE STATUTES OF EACH SUCH WITHDRAWING MEMBER STATE, SOLELY TO EACH CHIEF EXECUTIVE OFFICER OF EACH REMAINING MEMBER STATE, GIVING NOTICE OF SUCH WITHDRAWAL.

SECTION 8. COOPERATION. THE COMMISSION, MEMBER STATES AND COMPACT ADMINISTRATOR SHALL COOPERATE WITH EACH OTHER AND GIVE EACH OTHER MUTUAL ASSISTANCE IN ENFORCING THIS COMPACT AND SHALL GIVE THE CHIEF LAW ENFORCEMENT OFFICER OF EACH OTHER MEMBER STATE ANY INFORMATION OR DOCUMENTS THAT ARE REASONABLY NECESSARY TO FACILITATE THE ENFORCEMENT OF THIS COMPACT.

SECTION 9. THIS ARTICLE DOES NOT TAKE EFFECT UNTIL THERE ARE AT LEAST TWO MEMBER STATES.

ARTICLE V

RESOLUTION APPLYING FOR CONVENTION

SECTION 1. BE IT RESOLVED, AS PROVIDED FOR IN ARTICLE V OF THE CONSTITUTION OF THE UNITED STATES, THE LEGISLATURE OF EACH MEMBER STATE HEREWITH APPLIES TO CONGRESS FOR THE CALLING OF A CONVENTION FOR PROPOSING AMENDMENTS LIMITED TO THE SUBJECT MATTER OF PROPOSING FOR RATIFICATION THE BALANCED BUDGET AMENDMENT.

SECTION 2. CONGRESS IS FURTHER PETITIONED TO REFER THE BALANCED BUDGET AMENDMENT TO THE STATES FOR RATIFICATION BY THREE-FOURTHS OF THEIR RESPECTIVE LEGISLATURES.

SECTION 3. THIS ARTICLE DOES NOT TAKE EFFECT UNTIL AT LEAST THREE-FOURTHS OF THE SEVERAL STATES ARE MEMBER STATES.

ARTICLE VI

DELEGATE APPOINTMENT, LIMITATIONS AND INSTRUCTIONS

SECTION 1. NUMBER OF DELEGATES. THIS MEMBER STATE SHALL BE ENTITLED TO THREE DELEGATES TO REPRESENT ITS SOVEREIGN INTERESTS AT THE CONVENTION.

SECTION 2. IDENTITY. THE GOVERNOR, SPEAKER OF THE HOUSE OF REPRESENTATIVES AND PRESIDENT OF THE SENATE OF THIS MEMBER STATE ON THE ENACTMENT DATE OF THIS COMPACT, OR THEIR RESPECTIVE DESIGNEE, AS IDENTIFIED IN A SWORN AFFIDAVIT EXECUTED BY SUCH OFFICER, ARE EACH APPOINTED IN AN INDIVIDUAL CAPACITY TO REPRESENT THIS MEMBER STATE AT THE CONVENTION AS ITS SOLE AND EXCLUSIVE DELEGATES. A MAJORITY VOTE OF THIS DELEGATION SHALL SERVE TO DECIDE ANY ISSUE AT THE CONVENTION ON BEHALF OF THIS MEMBER STATE.

SECTION 3. REPLACEMENT OR RECALL OF DELEGATES. A DELEGATE APPOINTED HEREUNDER MAY BE REPLACED OR RECALLED BY THE LEGISLATURE OF HIS
OF HER RESPECTIVE STATE AT ANY TIME FOR GOOD CAUSE, SUCH AS CRIMINAL
MISCONDUCT OR THE VIOLATION OF THIS COMPACT. IF REPLACED OR RECALLED, ANY
DELEGATE PREVIOUSLY APPOINTED HEREUNDER MUST IMMEDIATELY VACATE THE
CONVENTION AND RETURN TO THEIR RESPECTIVE STATE'S CAPITOL.

SECTION 4. OATH. THE POWER AND AUTHORITY OF A DELEGATE UNDER THIS
ARTICLE MAY ONLY BE EXERCISED AFTER THE CONVENTION IS FIRST CALLED BY
CONGRESS IN ACCORDANCE WITH THIS COMPACT AND SUCH APPOINTMENT IS DULY
ACCEPTED BY SUCH APPOINTEE PUBLICLY TAKING THE FOLLOWING OATH OR
AFFIRMATION: "I DO SOLEMNLY SWEAR (OR AFFIRM) THAT I ACCEPT THIS
APPOINTMENT AND WILL ACT STRICTLY IN ACCORDANCE WITH THE TERMS AND
CONDITIONS OF THE COMPACT FOR A BALANCED BUDGET, THE CONSTITUTION OF THE
STATE I REPRESENT, AND THE CONSTITUTION OF THE UNITED STATES. I
UNDERSTAND THAT VIOLATING THIS OATH (OR AFFIRMATION) FORFEITS MY
APPOINTMENT AND MAY SUBJECT ME TO OTHER PENALTIES AS PROVIDED BY LAW."

SECTION 5. TERM. THE TERM OF A DELEGATE HEREUNDER COMMENCES UPON
ACCEPTANCE OF APPOINTMENT AND TERMINATES UPON THE PERMANENT ADJOURNMENT OF
THE CONVENTION, UNLESS SHORTENED BY RECALL, REPLACEMENT OR FORFEITURE
UNDER THIS ARTICLE. UPON EXPIRATION OF SUCH TERM, ANY PERSON FORMERLY
SERVING AS A DELEGATE MUST IMMEDIATELY WITHDRAW FROM AND CEASE
PARTICIPATION AT THE CONVENTION, IF ANY IS PROCEEDING.

SECTION 6. DELEGATE AUTHORITY. THE POWER AND AUTHORITY OF ANY
DELEGATE APPOINTED HEREUNDER IS STRICTLY LIMITED:
(a) TO INTRODUCING, DEBATING, VOTING UPON, PROPOSING AND ENFORCING
THE CONVENTION RULES SPECIFIED IN THIS COMPACT, AS NEEDED TO ENSURE THOSE
RULES GOVERN THE CONVENTION; AND
(b) TO INTRODUCING, DEBATING, VOTING UPON, AND REJECTING OR
PROPOSING FOR RATIFICATION THE BALANCED BUDGET AMENDMENT.
ALL ACTIONS TAKEN BY ANY DELEGATE IN VIOLATION OF THIS SECTION ARE VOID AB
INITIO.

SECTION 7. DELEGATE AUTHORITY. NO DELEGATE OF ANY MEMBER STATE MAY
INTRODUCE, DEBATE, VOTE UPON, REJECT OR PROPOSE FOR RATIFICATION ANY
CONSTITUTIONAL AMENDMENT AT THE CONVENTION UNLESS:
(a) THE CONVENTION RULES SPECIFIED IN THIS COMPACT GOVERN THE
CONVENTION AND THEIR ACTIONS; AND
(b) THE CONSTITUTIONAL AMENDMENT IS THE BALANCED BUDGET AMENDMENT.

SECTION 8. DELEGATE AUTHORITY. THE POWER AND AUTHORITY OF ANY
DELEGATE AT THE CONVENTION DOES NOT INCLUDE ANY POWER OR AUTHORITY
ASSOCIATED WITH ANY OTHER PUBLIC OFFICE HELD BY THE DELEGATE. ANY PERSON
APPOINTED TO SERVE AS A DELEGATE SHALL TAKE A TEMPORARY LEAVE OF ABSENCE,
OR OTHERWISE SHALL BE DEEMED TEMPORARILY DISABLED, FROM ANY OTHER PUBLIC
OFFICE HELD BY THE DELEGATE WHILE ATTENDING THE CONVENTION, AND MAY NOT
EXERCISE ANY POWER OR AUTHORITY ASSOCIATED WITH ANY OTHER PUBLIC OFFICE
HELDO BY THE DELEGATE WHILE ATTENDING THE CONVENTION. ALL ACTIONS TAKEN BY
ANY DELEGATE IN VIOLATION OF THIS SECTION ARE VOID AB INITIO.
SECTION 9. ORDER OF BUSINESS. BEFORE INTRODUCING, DEBATING, VOTING
UPON, REJECTING OR PROPOSING FOR RATIFICATION ANY CONSTITUTIONAL AMENDMENT
AT THE CONVENTION, EACH DELEGATE OF EVERY MEMBER STATE MUST FIRST ENSURE
THE CONVENTION RULES IN THIS COMPACT GOVERN THE CONVENTION AND THEIR
ACTIONS. EVERY DELEGATE AND EACH MEMBER STATE MUST IMMEDIATELY VACATE THE
CONVENTION AND NOTIFY THE COMPACT ADMINISTRATOR BY THE MOST EFFECTIVE AND
EXPEDITIOUS MEANS IF THE CONVENTION RULES IN THIS COMPACT ARE NOT ADOPTED
TO GOVERN THE CONVENTION AND THEIR ACTIONS.

SECTION 10. FORFEITURE OF APPOINTMENT. IF ANY MEMBER STATE OR
DELEGATE VIOLATES ANY PROVISION OF THIS COMPACT, THEN EVERY DELEGATE OF
THAT MEMBER STATE IMMEDIATELY FORFEITS HIS OR HER APPOINTMENT, AND SHALL
IMMEDIATELY CEASE PARTICIPATION AT THE CONVENTION, VACATE THE CONVENTION,
AND RETURN TO HIS OR HER RESPECTIVE STATE'S CAPITOL.

SECTION 11. EXPENSES. A DELEGATE APPOINTED HEREUNDER IS ENTITLED
TO REIMBURSEMENT OF REASONABLE EXPENSES FOR ATTENDING THE CONVENTION FROM
HIS OR HER RESPECTIVE MEMBER STATE. NO DELEGATE MAY ACCEPT ANY OTHER FORM
OF REMUNERATION OR COMPENSATION FOR SERVICE UNDER THIS COMPACT.

ARTICLE VII
CONVENTION RULES

SECTION 1. NATURE OF THE CONVENTION. THE CONVENTION SHALL BE
ORGANIZED, CONSTRUED AND CONDUCTED AS A BODY EXCLUSIVELY REPRESENTING AND
CONSTITUTED BY THE SEVERAL STATES.

SECTION 2. AGENDA OF THE CONVENTION. THE AGENDA OF THE CONVENTION
SHALL BE ENTIRELY FOCUSED UPON AND EXCLUSIVELY LIMITED TO INTRODUCING,
DEBATING, VOTING UPON, AND REJECTING OR PROPOSING FOR RATIFICATION THE
BALANCED BUDGET AMENDMENT UNDER THE CONVENTION RULES SPECIFIED IN THIS
ARTICLE AND IN ACCORDANCE WITH THE COMPACT. IT SHALL NOT BE IN ORDER FOR
THE CONVENTION TO CONSIDER ANY MATTER THAT IS OUTSIDE THE SCOPE OF THIS
AGENDA.

SECTION 3. DELEGATE IDENTITY AND PROCEDURE. STATES SHALL BE
REPRESENTED AT THE CONVENTION THROUGH DULY APPOINTED DELEGATES. THE
NUMBER, IDENTITY AND AUTHORITY OF DELEGATES ASSIGNED TO EACH STATE SHALL
BE DETERMINED BY THIS COMPACT IN THE CASE OF MEMBER STATES OR, IN THE CASE
OF STATES THAT ARE NOT MEMBER STATES, BY THEIR RESPECTIVE STATE
LAWS. HOWEVER, TO PREVENT DISRUPTION OF PROCEEDINGS, NO MORE THAN THREE
DELEGATES MAY ATTEND AND PARTICIPATE IN THE CONVENTION ON BEHALF OF ANY
STATE. A CERTIFIED CHAPTERED CONFORMING COPY OF THIS COMPACT, TOGETHER
WITH GOVERNMENT-ISSUED PHOTOGRAPHIC PROOF OF IDENTIFICATION, SHALL SUFFICE
AS CREDENTIALS FOR DELEGATES OF MEMBER STATES. ANY COMMISSION FOR
DELEGATES OF STATES THAT ARE NOT MEMBER STATES SHALL BE BASED ON THEIR
RESPECTIVE STATE LAWS, BUT IT SHALL FURNISH CREDENTIALS THAT ARE AT LEAST
AS RELIABLE AS THOSE REQUIRED OF MEMBER STATES.

SECTION 4. VOTING. EACH STATE REPRESENTED AT THE CONVENTION SHALL
HAVE ONE VOTE, EXERCISED BY THE VOTE OF THAT STATE'S DELEGATE IN THE CASE
OF STATES REPRESENTED BY ONE DELEGATE, OR, IN THE CASE OF ANY STATE THAT
IS REPRESENTED BY MORE THAN ONE DELEGATE, BY THE MAJORITY VOTE OF THAT
STATE'S RESPECTIVE DELEGATES.

SECTION 5. QUORUM. A MAJORITY OF THE SEVERAL STATES OF THE UNITED
STATES, EACH PRESENT THROUGH ITS RESPECTIVE DELEGATE IN THE CASE OF ANY
STATE THAT IS REPRESENTED BY ONE DELEGATE, OR THROUGH A MAJORITY OF ITS
RESPECTIVE DELEGATES, IN THE CASE OF ANY STATE THAT IS REPRESENTED BY MORE
THAN ONE DELEGATE, SHALL CONSTITUTE A QUORUM FOR THE TRANSACTION OF ANY
BUSINESS ON BEHALF OF THE CONVENTION.

SECTION 6. ACTION BY THE CONVENTION. THE CONVENTION SHALL ONLY ACT
AS A COMMITTEE OF THE WHOLE, CHAIRED BY THE DELEGATE REPRESENTING THE
FIRST STATE TO HAVE BECOME A MEMBER STATE, IF THAT STATE IS REPRESENTED BY
ONE DELEGATE, OR OTHERWISE BY THE DELEGATE CHOSEN BY THE MAJORITY VOTE OF
THAT STATE'S RESPECTIVE DELEGATES. THE TRANSACTION OF ANY BUSINESS ON
BEHALF OF THE CONVENTION, INCLUDING THE DESIGNATION OF A SECRETARY, THE
ADOPTION OF PARLIAMENTARY PROCEDURES AND THE REJECTION OR PROPOSAL OF ANY
CONSTITUTIONAL AMENDMENT, REQUIRES A QUORUM TO BE PRESENT AND A MAJORITY
AFFIRMATIVE VOTE OF THOSE STATES CONSTITUTING THE QUORUM.

SECTION 7. EMERGENCY SUSPENSION AND RELOCATION OF THE
CONVENTION. IN THE EVENT THAT THE CHAIR OF THE CONVENTION DECLARES AN
EMERGENCY DUE TO DISORDER OR AN IMMINENT THREAT TO PUBLIC HEALTH AND
SAFETY PRIOR TO THE COMPLETION OF THE BUSINESS ON THE AGENDA, AND A
MAJORITY OF THE STATES PRESENT AT THE CONVENTION DO NOT OBJECT TO SUCH
DECLARATION, FURTHER CONVENTION PROCEEDINGS SHALL BE TEMPORARILY
SUSPENDED, AND THE COMMISSION SHALL SUBSEQUENTLY RELOCATE OR RESCHEDULE
THE CONVENTION TO RESUME PROCEEDINGS IN AN ORDERLY FASHION IN ACCORDANCE
WITH THE TERMS AND CONDITIONS OF THIS COMPACT WITH PRIOR NOTICE GIVEN TO
THE COMPACT NOTICE RECIPIENTS.

SECTION 8. PARLIAMENTARY PROCEDURE. IN ADOPTING, APPLYING AND
FORMULATING PARLIAMENTARY PROCEDURE, THE CONVENTION SHALL EXCLUSIVELY
ADOPT, APPLY OR APPROPRIATELY ADAPT PROVISIONS OF THE MOST RECENT EDITIONS
OF ROBERT'S RULES OF ORDER AND THE AMERICAN INSTITUTE OF PARLIAMENTARIANS
STANDARD CODE OF PARLIAMENTARY PROCEDURE. IN ADOPTING, APPLYING OR
ADAPTING PARLIAMENTARY PROCEDURE, THE CONVENTION SHALL EXCLUSIVELY
CONSIDER ANALOGOUS PRECEDENT ARISING WITHIN THE JURISDICTION OF THE UNITED
STATES. PARLIAMENTARY PROCEDURES ADOPTED, APPLIED OR ADAPTED PURSUANT TO
THIS SECTION SHALL NOT OBSTRUCT, OVERRIDE OR OTHERWISE CONFLICT WITH THIS
COMPACT.

SECTION 9. TRANSMITTAL. UPON APPROVAL OF THE BALANCED BUDGET
AMENDMENT BY THE CONVENTION TO PROPOSE FOR RATIFICATION, THE CHAIR OF THE
CONVENTION SHALL IMMEDIATELY TRANSMIT CERTIFIED COPIES OF SUCH APPROVED
PROPOSED AMENDMENT TO THE COMPACT ADMINISTRATOR AND ALL COMPACT NOTICE
RECIPIENTS, NOTIFYING THEM RESPECTIVELY OF SUCH APPROVAL AND REQUESTING
CONGRESS TO REFER THE SAME FOR RATIFICATION BY THE STATES UNDER ARTICLE V
OF THE CONSTITUTION OF THE UNITED STATES. HOWEVER, IN NO EVENT SHALL ANY
PROPOSED AMENDMENT OTHER THAN THE BALANCED BUDGET AMENDMENT BE TRANSMITTED
AS AFORESAID.

SECTION 10. TRANSPARENCY. RECORDS OF THE CONVENTION, INCLUDING THE
IDENTITIES OF ALL ATTENDEES AND DETAILED MINUTES OF ALL PROCEEDINGS, SHALL
BE KEPT BY THE CHAIR OF THE CONVENTION OR SECRETARY DESIGNATED BY THE
CONVENTION. ALL PROCEEDINGS AND RECORDS OF THE CONVENTION SHALL BE OPEN
TO THE PUBLIC UPON REQUEST SUBJECT TO REASONABLE REGULATIONS ADOPTED BY
THE CONVENTION THAT ARE CLOSELY TAILORED TO PREVENTING DISRUPTION OF
PROCEEDINGS UNDER THIS ARTICLE.

SECTION 11. ADJOURNMENT OF THE CONVENTION. THE CONVENTION SHALL
PERMANENTLY ADJOURN UPON THE EARLIER OF TWENTY-FOUR HOURS AFTER COMMENCING
PROCEEDINGS UNDER THIS ARTICLE OR THE COMPLETION OF THE BUSINESS ON ITS
AGENDA.

ARTICLE VIII
PROHIBITION ON ULTRA VIRES CONVENTION

SECTION 1. MEMBER STATES SHALL NOT PARTICIPATE IN THE CONVENTION
UNLESS:
(a) CONGRESS FIRST CALLS THE CONVENTION IN ACCORDANCE WITH THIS
COMPACT; AND
(b) THE CONVENTION RULES OF THIS COMPACT ARE ADOPTED BY THE
CONVENTION AS ITS FIRST ORDER OF BUSINESS.

SECTION 2. ANY PROPOSAL OR ACTION OF THE CONVENTION IS VOID AB
INITIO AND ISSUED BY A BODY THAT IS CONDUCTING ITSELF IN AN UNLAWFUL AND
ULTRA VIRES FASHION IF THAT PROPOSAL OR ACTION:
(a) VIOLATES OR WAS APPROVED IN VIOLATION OF THE CONVENTION RULES
OR THE DELEGATE INSTRUCTIONS AND LIMITATIONS ON DELEGATE AUTHORITY
SPECIFIED IN THIS COMPACT;
(b) PURPORTS TO PROPOSE OR EFFECTUATE A MODE OF RATIFICATION THAT
IS NOT SPECIFIED IN ARTICLE V OF THE CONSTITUTION OF THE UNITED STATES; OR
(c) PURPORTS TO PROPOSE OR EFFECTUATE THE FORMATION OF A NEW
GOVERNMENT.
ALL MEMBER STATES ARE PROHIBITED FROM ADVANCING OR ASSISTING IN THE
ADVANCEMENT OF ANY SUCH PROPOSAL OR ACTION.

SECTION 3. MEMBER STATES SHALL NOT RATIFY OR OTHERWISE APPROVE ANY
PROPOSED AMENDMENT, ALTERATION OR REVISION TO THE CONSTITUTION OF THE
UNITED STATES, WHICH ORIGINATES FROM THE CONVENTION, OTHER THAN THE
BALANCED BUDGET AMENDMENT.

ARTICLE IX
RESOLUTION PROSPECTIVELY RATIFYING THE
BALANCED BUDGET AMENDMENT

SECTION 1. EACH MEMBER STATE, BY AND THROUGH ITS RESPECTIVE
LEGISLATURE, HEREBY ADOPTS AND RATIFIES THE BALANCED BUDGET AMENDMENT.
SECTION 2. THIS ARTICLE DOES NOT TAKE EFFECT UNTIL CONGRESS
EFFECTIVELY REFERS THE BALANCED BUDGET AMENDMENT TO THE STATES FOR
RATIFICATION BY THREE-FOURTHS OF THE LEGISLATURES OF THE SEVERAL STATES UNDER ARTICLE V OF THE CONSTITUTION OF THE UNITED STATES.

ARTICLE X

CONSTRUCTION, ENFORCEMENT, VENUE, AND SEVERABILITY

SECTION 1. TO THE EXTENT THAT THE EFFECTIVENESS OF THIS COMPACT OR ANY OF ITS ARTICLES OR PROVISIONS REQUIRES THE ALTERATION OF LOCAL LEGISLATIVE RULES, DRAFTING POLICIES, OR PROCEDURE TO BE EFFECTIVE, THE ENACTMENT OF LEGISLATION ENACTING, ADOPTING AND AGREEING TO BE BOUND BY THIS COMPACT SHALL BE DEEMED TO WAIVE, REPEAL, SUPERSEDE, OR OTHERWISE AMEND AND CONFORM ALL SUCH RULES, POLICIES OR PROCEDURES TO ALLOW FOR THE EFFECTIVENESS OF THIS COMPACT TO THE FULLEST EXTENT PERMITTED BY THE CONSTITUTION OF ANY AFFECTED MEMBER STATE.

SECTION 2. DATE AND LOCATION OF THE CONVENTION. UNLESS OTHERWISE SPECIFIED BY CONGRESS IN ITS CALL, THE CONVENTION SHALL BE HELD IN DALLAS, TEXAS AND COMMENCE PROCEEDINGS AT 9:00 A.M. CENTRAL STANDARD TIME ON THE SIXTH WEDNESDAY AFTER THE LATTER OF THE EFFECTIVE DATE OF ARTICLE V OF THIS COMPACT OR THE ENACTMENT DATE OF THE CONGRESSIONAL RESOLUTION CALLING THE CONVENTION.

SECTION 3. IN ADDITION TO ALL OTHER POWERS AND DUTIES CONFERRED BY STATE LAW WHICH ARE CONSISTENT WITH THE TERMS AND CONDITIONS OF THIS COMPACT, THE CHIEF LAW ENFORCEMENT OFFICER OF EACH MEMBER STATE IS EMPOWERED TO DEFEND THE COMPACT FROM ANY LEGAL CHALLENGE, AS WELL AS TO SEEK CIVIL MANDATORY AND PROHIBITORY INJUNCTIVE RELIEF TO ENFORCE THIS COMPACT; AND SHALL TAKE SUCH ACTION WHENEVER THE COMPACT IS CHALLENGED OR VIOLATED.

SECTION 4. THE EXCLUSIVE VENUE FOR ALL ACTIONS IN ANY WAY ARISING UNDER THIS COMPACT SHALL BE IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF TEXAS OR THE COURTS OF THE STATE OF TEXAS WITHIN THE JURISDICTIONAL BOUNDARIES OF THE FOREGOING DISTRICT COURT. EACH MEMBER STATE SHALL SUBMIT TO THE JURISDICTION OF SAID COURTS WITH RESPECT TO SUCH ACTIONS. HOWEVER, UPON WRITTEN REQUEST BY THE CHIEF LAW ENFORCEMENT OFFICER OF ANY MEMBER STATE, THE COMMISSION MAY ELECT TO WAIVE THIS PROVISION FOR THE PURPOSE OF ENSURING AN ACTION PROCEEDS IN THE VENUE THAT ALLOWS FOR THE MOST CONVENIENT AND EFFECTIVE ENFORCEMENT OR DEFENSE OF THIS COMPACT. ANY SUCH WAIVER SHALL BE LIMITED TO THE PARTICULAR ACTION TO WHICH IT IS APPLIED AND NOT CONSTRUED OR RELIED UPON AS A GENERAL WAIVER OF THIS PROVISION. THE WAIVER DECISIONS OF THE COMMISSION UNDER THIS PROVISION SHALL BE FINAL AND BINDING ON EACH MEMBER STATE.

SECTION 5. THE EFFECTIVE DATE OF THIS COMPACT AND ANY OF ITS ARTICLES IS THE LATTER OF: (a) THE DATE OF ANY EVENT RENDERING THE SAME EFFECTIVE ACCORDING TO ITS RESPECTIVE TERMS AND CONDITIONS; OR (b) THE EARLIEST DATE OTHERWISE PERMITTED BY LAW.

SECTION 6. ARTICLE VIII OF THIS COMPACT IS HEREBY DEEMED NON-SEVERABLE PRIOR TO TERMINATION OF THE COMPACT. HOWEVER, IF ANY OTHER PHRASE, CLAUSE, SENTENCE OR PROVISION OF THIS COMPACT, OR THE
APPLICABILITY OF ANY OTHER PHRASE, CLAUSE, SENTENCE OR PROVISION OF THIS COMPACT TO ANY GOVERNMENT, AGENCY, PERSON OR CIRCUMSTANCE, IS DECLARED IN A FINAL JUDGMENT TO BE CONTRARY TO THE CONSTITUTION OF THE UNITED STATES, CONTRARY TO THE STATE CONSTITUTION OF ANY MEMBER STATE, OR IS OTHERWISE HELD INVALID BY A COURT OF COMPETENT JURISDICTION, SUCH PHRASE, CLAUSE, SENTENCE OR PROVISION SHALL BE SEVERED AND HELD FOR NAUGHT, AND THE VALIDITY OF THE REMAINDER OF THIS COMPACT AND THE APPLICABILITY OF THE REMAINDER OF THIS COMPACT TO ANY GOVERNMENT, AGENCY, PERSON OR CIRCUMSTANCE SHALL NOT BE AFFECTED. FURTHERMORE, IF THIS COMPACT IS DECLARED IN A FINAL JUDGMENT BY A COURT OF COMPETENT JURISDICTION TO BE ENTIRELY CONTRARY TO THE STATE CONSTITUTION OF ANY MEMBER STATE OR OTHERWISE ENTIRELY INVALID AS TO ANY MEMBER STATE, SUCH MEMBER STATE SHALL BE DEEMED TO HAVE WITHDRAWN FROM THE COMPACT, AND THE COMPACT SHALL REMAIN IN FULL FORCE AND EFFECT AS TO ANY REMAINING MEMBER STATE. FINALLY, IF THIS COMPACT IS DECLARED IN A FINAL JUDGMENT BY A COURT OF COMPETENT JURISDICTION TO BE WHOLLY OR SUBSTANTIALLY IN VIOLATION OF ARTICLE I, SECTION 10, OF THE CONSTITUTION OF THE UNITED STATES, THEN IT SHALL BE CONSTRUED AND ENFORCED SOLELY AS RECIPROCAL LEGISLATION ENACTED BY THE AFFECTED MEMBER STATES.

SECTION 7. TERMINATION. THIS COMPACT SHALL TERMINATE AND BE HELD FOR NAUGHT WHEN THE COMPACT IS FULLY PERFORMED AND THE CONSTITUTION OF THE UNITED STATES IS AMENDED BY THE BALANCED BUDGET AMENDMENT. HOWEVER, NOTWITHSTANDING ANYTHING TO THE CONTRARY SET FORTH IN THIS COMPACT, IN THE EVENT SUCH AMENDMENT DOES NOT OCCUR WITHIN SEVEN (7) YEARS AFTER THE FIRST STATE PASSES LEGISLATION ENACTING, ADOPTING AND AGREEING TO BE BOUND TO THIS COMPACT, THE COMPACT SHALL TERMINATE AS FOLLOWS:

(a) THE COMMISSION SHALL DISSOLVE AND WIND UP ITS OPERATIONS WITHIN NINETY (90) DAYS THEREAFTER, WITH THE COMPACT ADMINISTRATOR GIVING NOTICE OF SUCH DISSOLUTION AND THE OPERATIVE EFFECT OF THIS SECTION TO THE COMPACT NOTICE RECIPIENTS; AND

(b) UPON THE COMPLETED DISSOLUTION OF THE COMMISSION, THIS COMPACT SHALL BE DEEMED TERMINATED, REPEALED, VOID AB INITIO, AND HELD FOR NAUGHT.

SECTION 8. PROPOSED TERMINATION DATE AMENDMENT. INDEPENDENTLY FROM THE FOREGOING LEGISLATION ENACTING, ADOPTING AND AGREEING TO BE BOUND TO THE COMPACT FOR A BALANCED BUDGET, THIS STATE HERewith CONDITIONALLY ENACTS, PROPOSES, OFFERS, PROMISES AND AGREES TO PERFORM AND COMPLY STRICTLY WITH THE FOLLOWING AMENDMENT TO SECTION 7 OF ARTICLE X OF THE COMPACT FOR A BALANCED BUDGET, AND OTHERWISE REAFFIRMS ITS COMMITMENT TO ALL OTHER PROVISIONS OF THE COMPACT FOR A BALANCED BUDGET, IF AND WHEN EVERY MEMBER STATE: (A) HAS PASSED LEGISLATION EITHER (1) MANIFESTING SUCH CONSENT TO THE FOLLOWING AMENDMENT OR (2) OTHERWISE ADOPTING THE COMPACT FOR A BALANCED BUDGET AS THEREBY AMENDED; AND (B) HAS GIVEN WRITTEN NOTICE OF THE PASSAGE OF SUCH LEGISLATION, INCLUDING A CERTIFIED COPY OF SUCH LEGISLATION, THROUGH AN AUTHORIZED OFFICIAL TO THE COMPACT ADMINISTRATOR.
SECTION 7. TERMINATION. THIS COMPACT SHALL TERMINATE AND BE HELD FOR NAUGHT WHEN THE COMPACT IS FULLY PERFORMED AND THE CONSTITUTION OF THE UNITED STATES IS AMENDED BY THE BALANCED BUDGET AMENDMENT. HOWEVER, NOTWITHSTANDING ANYTHING TO THE CONTRARY SET FORTH IN THIS COMPACT, IN THE EVENT SUCH AMENDMENT DOES NOT OCCUR ON OR BEFORE APRIL 12, 2031, THE COMPACT SHALL TERMINATE AS FOLLOWS: (A) THE COMMISSION SHALL DISSOLVE AND WIND UP ITS OPERATIONS WITHIN NINETY (90) DAYS THEREAFTER, WITH THE COMPACT ADMINISTRATOR GIVING NOTICE OF SUCH DISSOLUTION AND THE OPERATIVE EFFECT OF THIS SECTION TO THE COMPACT NOTICE RECIPIENTS; AND (B) UPON THE COMPLETED DISSOLUTION OF THE COMMISSION, THIS COMPACT SHALL BE DEEMED TERMINATED, REPEALED, VOID AB INITIO, AND HELD FOR NAUGHT EXCEPT THAT THE OBLIGATION TO COMPLY WITH ARTICLE VIII OF THIS COMPACT SHALL SURVIVE SUCH TERMINATION.

(EMERGENCY NOT ENACTED)

Sec. 2. Emergency

This act is an emergency measure that is necessary to preserve the public peace, health or safety and is operative immediately as provided by law.