

13 will be exercised conveniently and with reasonable certainty as to
14 the consequences thereof.

15 NOW, THEREFORE, in consideration of their expressed mutual
16 promises and obligations, be it enacted by every State enacting,
17 adopting and agreeing to be bound by this Compact, and resolved by
18 each of their respective Legislatures, as the case may be, to
19 exercise herewith all of their respective powers as set forth
20 herein notwithstanding any law to the contrary.

21 **ARTICLE II**

22 **DEFINITIONS**

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

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



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

42 Section 4. "Member State" means a State that has enacted,
43 adopted and agreed to be bound to this Compact. For any State to
44 qualify as a Member State with respect to any other State under
45 this Compact, each such State must have enacted, adopted and
46 agreed to be bound by substantively identical compact legislation.

47 Section 5. "Compact Notice Recipients" means the Archivist
48 of the United States, the President of the United States, the
49 President of the United States Senate, the Office of the Secretary
50 of the United States Senate, the Speaker of the United States
51 House of Representatives, the Office of the Clerk of the United
52 States House of Representatives, the chief executive officer of
53 each State, and the presiding officer(s) of each house of the
54 Legislatures of the several States.

55 Section 6. Notice. All notices required by this Compact
56 shall be by U.S. Certified Mail, return receipt requested, or an
57 equivalent or superior form of notice, such as personal delivery
58 documented by evidence of actual receipt.

59 Section 7. "Balanced Budget Amendment" means the following:
60 "Article __



61 Section 1. Total outlays of the government of the
62 United States shall not exceed total receipts of the government of
63 the United States at any point in time unless the excess of
64 outlays over receipts is financed exclusively by debt issued in
65 strict conformity with this article.

66 Section 2. Outstanding debt shall not exceed authorized
67 debt, which initially shall be an amount equal to one hundred five
68 percent (105%) of the outstanding debt on the effective date of
69 this article. Authorized debt shall not be increased above its
70 aforesaid initial amount unless such increase is first approved by
71 the legislatures of the several states as provided in Section 3.

72 Section 3. From time to time, Congress may increase
73 authorized debt to an amount in excess of its initial amount set
74 by Section 2 only if it first publicly refers to the legislatures
75 of the several states an unconditional, single subject measure
76 proposing the amount of such increase, in such form as provided by
77 law, and the measure is thereafter publicly and unconditionally
78 approved by a simple majority of the legislatures of the several
79 states, in such form as provided respectively by state law;
80 provided that no inducement requiring an expenditure or tax levy
81 shall be demanded, offered or accepted as a quid pro quo for such
82 approval. If such approval is not obtained within sixty (60)
83 calendar days after referral then the measure shall be deemed
84 disapproved and the authorized debt shall thereby remain
85 unchanged.



86 Section 4. Whenever the outstanding debt exceeds
87 ninety-eight percent (98%) of the debt limit set by Section 2, the
88 President shall enforce said limit by publicly designating
89 specific expenditures for impoundment in an amount sufficient to
90 ensure outstanding debt shall not exceed the authorized debt.
91 Said impoundment shall become effective thirty (30) days
92 thereafter, unless Congress first designates an alternate
93 impoundment of the same or greater amount by concurrent
94 resolution, which shall become immediately effective. The failure
95 of the President to designate or enforce the required impoundment
96 is an impeachable misdemeanor. Any purported issuance or
97 incurrence of any debt in excess of the debt limit set by Section
98 2 is void.

99 Section 5. No bill that provides for a new or increased
100 general revenue tax shall become law unless approved by a
101 two-thirds (2/3) roll call vote of the whole number of each House
102 of Congress. However, this requirement shall not apply to any
103 bill that provides for a new end user sales tax which would
104 completely replace every existing income tax levied by the
105 government of the United States; or for the reduction or
106 elimination of an exemption, deduction, or credit allowed under an
107 existing general revenue tax.

108 Section 6. For purposes of this article, "debt" means
109 any obligation backed by the full faith and credit of the
110 government of the United States; "outstanding debt" means all debt



136 consideration of, and in substantial reliance upon, such mutual
137 and reciprocal performance and compliance by each other current
138 and future Member State, if any. Accordingly, in addition to
139 having the force of law in each Member State upon its respective
140 effective date, this Compact and each of its Articles shall also
141 be construed as contractually binding each Member State when: (a)
142 at least one other State has likewise become a Member State by
143 enacting substantively identical legislation adopting and agreeing
144 to be bound by this Compact; and (b) notice of such State's Member
145 State status is or has been seasonably received by the Compact
146 Administrator, if any, or otherwise by the chief executive officer
147 of each other Member State.

148 Section 3. For purposes of determining Member State status
149 under this Compact, as long as all other provisions of the Compact
150 remain identical and operative on the same terms, legislation
151 enacting, adopting and agreeing to be bound by this Compact shall
152 be deemed and regarded as "substantively identical" with respect
153 to such other legislation enacted by another State
154 notwithstanding: (a) any difference in Section 2 of Article IV
155 with specific regard to the respectively enacting State's own
156 method of appointing its member to the Commission; (b) any
157 difference in Section 5 of Article IV with specific regard to the
158 respectively enacting State's own obligation to fund the
159 Commission; (c) any difference in Sections 1 and 2 of Article VI
160 with specific regard to the number and identity of each delegate



161 respectively appointed on behalf of the enacting State, provided
162 that no more than three (3) delegates may attend and participate
163 in the Convention on behalf of any State; or (d) any difference in
164 Section 7 of Article X with specific regard to the respectively
165 enacting State as to whether Section 1 of Article V of this
166 Compact shall survive termination of the Compact, and thereafter
167 become a continuing resolution of the Legislature of such State
168 applying to Congress for the calling of a convention of the states
169 under Article V of the Constitution of the United States, under
170 such terms and limitations as may be specified by such State.

171 Section 4. When fewer than three-fourths (3/4) of the States
172 are Member States, any Member State may withdraw from this Compact
173 by enacting appropriate legislation, as determined by state law,
174 and giving notice of such withdrawal to the Compact Administrator,
175 if any, or otherwise to the chief executive officer of each other
176 Member State. A withdrawal shall not affect the validity or
177 applicability of the Compact with respect to remaining Member
178 States, provided that there remain at least two (2) such States.
179 However, once at least three-fourths (3/4) of the States are
180 Member States, then no Member State may withdraw from the Compact
181 prior to its termination absent unanimous consent of all Member
182 States.

183 **ARTICLE IV**

184 **COMPACT COMMISSION AND COMPACT ADMINISTRATOR**



185 Section 1. Nature of the Compact Commission. The Compact
186 Commission (Commission) is hereby established. It has the power
187 and duty: (a) to appoint and oversee a Compact Administrator; (b)
188 to encourage States to join the Compact and Congress to call the
189 Convention in accordance with this Compact; (c) to coordinate the
190 performance of obligations under the Compact; (d) to oversee the
191 Convention's logistical operations as appropriate to ensure this
192 Compact governs its proceedings; (e) to oversee the defense and
193 enforcement of the Compact in appropriate legal venues; (f) to
194 request funds and to disburse those funds to support the
195 operations of the Commission, Compact Administrator, and
196 Convention; and (g) to cooperate with any entity that shares a
197 common interest with the Commission and engages in policy
198 research, public interest litigation or lobbying in support of the
199 purposes of the Compact. The Commission shall only have such
200 implied powers as are essential to carrying out these express
201 powers and duties. It shall take no action that contravenes or is
202 inconsistent with this Compact or any law of any State that is not
203 superseded by this Compact. It may adopt and publish
204 corresponding bylaws and policies.

205 Section 2. Commission Membership. The Commission initially
206 consists of three (3) unpaid members. Each Member State may
207 appoint one (1) member to the Commission through an appointment
208 process to be determined by their respective chief executive
209 officer until all positions on the Commission are filled.



210 Positions shall be assigned to appointees in the order in which
211 their respective appointing States became Member States. The
212 bylaws of the Commission may expand its membership to include
213 representatives of additional Member States and to allow for
214 modest salaries and reimbursement of expenses if adequate funding
215 exists.

216 Section 3. Commission Action. Each Commission member is
217 entitled to one (1) vote. The Commission shall not act unless a
218 majority of its appointed membership is present, and no action
219 shall be binding unless approved by a majority of the Commission's
220 appointed membership. The Commission shall meet at least once a
221 year, and may meet more frequently.

222 Section 4. First Order of Business. The Commission shall at
223 the earliest possible time elect from among its membership a
224 Chairperson, determine a primary place of doing business, and
225 appoint a Compact Administrator.

226 Section 5. Funding. The Commission and the Compact
227 Administrator's activities shall be funded exclusively by each
228 Member State, as determined by their respective state law, or by
229 voluntary donations.

230 Section 6. Compact Administrator. The Compact Administrator
231 has the power and duty: (a) to timely notify the States of the
232 date, time and location of the Convention; (b) to organize and
233 direct the logistical operations of the Convention; (c) to
234 maintain an accurate list of all Member States, their appointed



235 delegates, including contact information; and (d) to formulate,
236 transmit, and maintain all official notices, records, and
237 communications relating to this Compact. The Compact
238 Administrator shall only have such implied powers as are essential
239 to carrying out these express powers and duties; and shall take no
240 action that contravenes or is inconsistent with this Compact or
241 any law of any State that is not superseded by this Compact. The
242 Compact Administrator serves at the pleasure of the Commission and
243 must keep the Commission seasonably apprised of the performance or
244 nonperformance of the terms and conditions of this Compact. Any
245 notice sent by a Member State to the Compact Administrator
246 concerning this Compact shall be adequate notice to each other
247 Member State provided that a copy of said notice is seasonably
248 delivered by the Compact Administrator to each other Member
249 State's respective chief executive officer.

250 Section 7. Notice of Key Events. Upon the occurrence of
251 each of the following described events, or otherwise as soon as
252 possible, the Compact Administrator shall immediately send the
253 following notices to all Compact Notice Recipients, together with
254 certified conforming copies of the chaptered version of this
255 Compact as maintained in the statutes of each Member State: (a)
256 whenever any State becomes a Member State, notice of that fact
257 shall be given; (b) once at least three-fourths (3/4) of the
258 States are Member States, notice of that fact shall be given
259 together with a statement declaring that the Legislatures of at



260 least two-thirds (2/3) of the several States have applied for a
261 convention for proposing amendments under Article V of the
262 Constitution of the United States, petitioning Congress to call
263 the Convention contemplated by this Compact, and further
264 requesting cooperation in organizing the same in accordance with
265 this Compact; (c) once Congress has called the Convention
266 contemplated by this Compact, and whenever the date, time and
267 location of the Convention has been determined, notice of that
268 fact shall be given together with the date, time and location of
269 the Convention and other essential logistical matters; (d) upon
270 approval of the Balanced Budget Amendment by the Convention,
271 notice of that fact shall be given together with the transmission
272 of certified copies of such approved proposed amendment and a
273 statement requesting Congress to refer the same for ratification
274 by three-fourths (3/4) of the Legislatures of the several States
275 under Article V of the Constitution of the United States (however,
276 in no event shall any proposed amendment other than the Balanced
277 Budget Amendment be transmitted); and (e) when any Article of this
278 Compact prospectively ratifying the Balanced Budget Amendment is
279 effective in any Member State, notice of the same shall be given
280 together with a statement declaring such ratification and further
281 requesting cooperation in ensuring that the official record
282 confirms and reflects the effective corresponding amendment to the
283 Constitution of the United States. However, whenever any Member
284 State enacts appropriate legislation, as determined by the laws of



285 the respective state, withdrawing from this Compact, the Compact
286 Administrator shall immediately send certified conforming copies
287 of the chaptered version of such withdrawal legislation as
288 maintained in the statutes of each such withdrawing Member State,
289 solely to each chief executive officer of each remaining Member
290 State, giving notice of such withdrawal.

291 Section 8. Cooperation. The Commission, Member States and
292 Compact Administrator shall cooperate with each other and give
293 each other mutual assistance in enforcing this Compact and shall
294 give the chief law enforcement officer of each other Member State
295 any information or documents that are reasonably necessary to
296 facilitate the enforcement of this Compact.

297 Section 9. This Article does not take effect until there are
298 at least two (2) Member States.

299 **ARTICLE V**

300 **RESOLUTION APPLYING FOR CONVENTION**

301 Section 1. Be it resolved, as provided for in Article V of
302 the Constitution of the United States, the Legislature of each
303 Member State herewith applies to Congress for the calling of a
304 convention for proposing amendments limited to the subject matter
305 of proposing for ratification the Balanced Budget Amendment.

306 Section 2. Congress is further petitioned to refer the
307 Balanced Budget Amendment to the States for ratification by
308 three-fourths (3/4) of their respective Legislatures.



309 Section 3. This Article does not take effect until at least
310 three-fourths (3/4) of the several States are Member States.

311 **ARTICLE VI**

312 **DELEGATE APPOINTMENT, LIMITATIONS AND INSTRUCTIONS**

313 Section 1. Number of Delegates. * * * This Member State
314 shall be entitled to three (3) delegates to represent its
315 sovereign interests at the Convention.

316 Section 2. Identity of Delegates. * * * The Governor,
317 Speaker of the House of Representatives, and President of the
318 Senate of this Member State, who are in office at the time of the
319 Convention, or their respective designee, as identified in a sworn
320 affidavit executed by such officer, are each appointed in an
321 individual capacity to represent this Member State at the
322 Convention as its sole and exclusive delegates. A majority vote
323 of this delegation shall serve to decide any issue at the
324 Convention on behalf of this Member State.

325 Section 3. Replacement or Recall of Delegates. A delegate
326 appointed hereunder may be replaced or recalled by the Legislature
327 of his or her respective State at any time for good cause, such as
328 criminal misconduct or the violation of this Compact. If replaced
329 or recalled, any delegate previously appointed hereunder must
330 immediately vacate the Convention and return to their respective
331 State's capitol.

332 Section 4. Oath. The power and authority of a delegate
333 under this Article may only be exercised after the Convention is



334 first called by Congress in accordance with this Compact and such
335 appointment is duly accepted by such appointee publicly taking the
336 following oath or affirmation: "I do solemnly swear (or affirm)
337 that I accept this appointment and will act strictly in accordance
338 with the terms and conditions of the Compact for a Balanced
339 Budget, the Constitution of the State I represent, and the
340 Constitution of the United States. I understand that violating
341 this oath (or affirmation) forfeits my appointment and may subject
342 me to other penalties as provided by law."

343 Section 5. Term. The term of a delegate hereunder commences
344 upon acceptance of appointment and terminates upon the permanent
345 adjournment of the Convention, unless shortened by recall,
346 replacement or forfeiture under this Article. Upon expiration of
347 such term, any person formerly serving as a delegate must
348 immediately withdraw from and cease participation at the
349 Convention, if any is proceeding.

350 Section 6. Delegate Authority. The power and authority of
351 any delegate appointed hereunder is strictly limited: (a) to
352 introducing, debating, voting upon, proposing and enforcing the
353 Convention Rules specified in this Compact, as needed to ensure
354 those rules govern the Convention; and (b) to introducing,
355 debating, voting upon, and rejecting or proposing for ratification
356 the Balanced Budget Amendment. All actions taken by any delegate
357 in violation of this section are void ab initio.



358 Section 7. Delegate Authority. No delegate of any Member
359 State may introduce, debate, vote upon, reject or propose for
360 ratification any constitutional amendment at the Convention
361 unless: (a) the Convention Rules specified in this Compact govern
362 the Convention and their actions; and (b) the constitutional
363 amendment is the Balanced Budget Amendment.

364 Section 8. Delegate Authority. The power and authority of
365 any delegate at the Convention does not include any power or
366 authority associated with any other public office held by the
367 delegate. Any person appointed to serve as a delegate shall take
368 a temporary leave of absence, or otherwise shall be deemed
369 temporarily disabled, from any other public office held by the
370 delegate while attending the Convention, and may not exercise any
371 power or authority associated with any other public office held by
372 the delegate, while attending the Convention. All actions taken
373 by any delegate in violation of this section are void ab initio.

374 Section 9. Order of Business. Before introducing, debating,
375 voting upon, rejecting or proposing for ratification any
376 constitutional amendment at the Convention, each delegate of every
377 Member State must first ensure the Convention Rules in this
378 Compact govern the Convention and their actions. Every delegate
379 and each Member State must immediately vacate the Convention and
380 notify the Compact Administrator by the most effective and
381 expeditious means if the Convention Rules in this Compact are not
382 adopted to govern the Convention and their actions.



383 Section 10. Forfeiture of Appointment. If any Member State
384 or delegate violates any provision of this Compact, then every
385 delegate of that Member State immediately forfeits his or her
386 appointment, and shall immediately cease participation at the
387 Convention, vacate the Convention, and return to his or her
388 respective State's capitol.

389 Section 11. Expenses. A delegate appointed hereunder is
390 entitled to reimbursement of reasonable expenses for attending the
391 Convention from his or her respective Member State. No delegate
392 may accept any other form of remuneration or compensation for
393 service under this Compact.

394 **ARTICLE VII**

395 **CONVENTION RULES**

396 Section 1. Nature of the Convention. The Convention shall
397 be organized, construed and conducted as a body exclusively
398 representing and constituted by the several States.

399 Section 2. Agenda of the Convention. The agenda of the
400 Convention shall be entirely focused upon and exclusively limited
401 to introducing, debating, voting upon, and rejecting or proposing
402 for ratification the Balanced Budget Amendment under the
403 Convention Rules specified in this Article and in accordance with
404 the Compact. It shall not be in order for the Convention to
405 consider any matter that is outside the scope of this agenda.

406 Section 3. Delegate Identity and Procedure. States shall be
407 represented at the Convention through duly appointed delegates.



408 The number, identity and authority of delegates assigned to each
409 State shall be determined by this Compact in the case of Member
410 States or, in the case of States that are not Member States, by
411 their respective state laws. However, to prevent disruption of
412 proceedings, no more than three (3) delegates may attend and
413 participate in the Convention on behalf of any State. A certified
414 chaptered conforming copy of this Compact, together with
415 government-issued photographic proof of identification, shall
416 suffice as credentials for delegates of Member States. Any
417 commission for delegates of States that are not Member States
418 shall be based on their respective state laws, but it shall
419 furnish credentials that are at least as reliable as those
420 required of Member States.

421 Section 4. Voting. Each State represented at the Convention
422 shall have one (1) vote, exercised by the vote of that State's
423 delegate in the case of States represented by one delegate, or, in
424 the case of any State that is represented by more than one
425 delegate, by the majority vote of that State's respective
426 delegates.

427 Section 5. Quorum. A majority of the several States of the
428 United States, each present through its respective delegate in the
429 case of any State that is represented by one (1) delegate, or
430 through a majority of its respective delegates, in the case of any
431 State that is represented by more than one (1) delegate, shall



432 constitute a quorum for the transaction of any business on behalf
433 of the Convention.

434 Section 6. Action by the Convention. The Convention shall
435 only act as a committee of the whole, chaired by the delegate
436 representing the first State to have become a Member State, if
437 that State is represented by one (1) delegate, or otherwise by the
438 delegate chosen by the majority vote of that State's respective
439 delegates. The transaction of any business on behalf of the
440 Convention, including the designation of a Secretary, the adoption
441 of parliamentary procedures and the rejection or proposal of any
442 constitutional amendment, requires a quorum to be present and a
443 majority affirmative vote of those States constituting the quorum.

444 Section 7. Emergency Suspension and Relocation of the
445 Convention. In the event that the Chair of the Convention
446 declares an emergency due to disorder or an imminent threat to
447 public health and safety prior to the completion of the business
448 on the Agenda, and a majority of the States present at the
449 Convention do not object to such declaration, further Convention
450 proceedings shall be temporarily suspended, and the Commission
451 shall subsequently relocate or reschedule the Convention to resume
452 proceedings in an orderly fashion in accordance with the terms and
453 conditions of this Compact with prior notice given to the Compact
454 Notice Recipients.

455 Section 8. Parliamentary Procedure. In adopting, applying
456 and formulating parliamentary procedure, the Convention shall



457 exclusively adopt, apply or appropriately adapt provisions of the
458 most recent editions of Robert's Rules of Order and the American
459 Institute of Parliamentarians Standard Code of Parliamentary
460 Procedure. In adopting, applying or adapting parliamentary
461 procedure, the Convention shall exclusively consider analogous
462 precedent arising within the jurisdiction of the United States.
463 Parliamentary procedures adopted, applied or adapted pursuant to
464 this section shall not obstruct, override or otherwise conflict
465 with this Compact.

466 Section 9. Transmittal. Upon approval of the Balanced
467 Budget Amendment by the Convention to propose for ratification,
468 the Chair of the Convention shall immediately transmit certified
469 copies of such approved proposed amendment to the Compact
470 Administrator and all Compact Notice Recipients, notifying them
471 respectively of such approval and requesting Congress to refer the
472 same for ratification by the States under Article V of the
473 Constitution of the United States. However, in no event shall any
474 proposed amendment other than the Balanced Budget Amendment be
475 transmitted as aforesaid.

476 Section 10. Transparency. Records of the Convention,
477 including the identities of all attendees and detailed minutes of
478 all proceedings, shall be kept by the Chair of the Convention or
479 Secretary designated by the Convention. All proceedings and
480 records of the Convention shall be open to the public upon request
481 subject to reasonable regulations adopted by the Convention that



482 are closely tailored to preventing disruption of proceedings under
483 this Article.

484 Section 11. Adjournment of the Convention. The Convention
485 shall permanently adjourn upon the earlier of twenty-four (24)
486 hours after commencing proceedings under this Article or the
487 completion of the business on its Agenda.

488 **ARTICLE VIII**

489 **PROHIBITION ON ULTRA VIRES CONVENTION**

490 Section 1. Member States shall not participate in the
491 Convention unless: (a) Congress first calls the Convention in
492 accordance with this Compact; and (b) the Convention Rules of this
493 Compact are adopted by the Convention as its first order of
494 business.

495 Section 2. Any proposal or action of the Convention is void
496 ab initio and issued by a body that is conducting itself in an
497 unlawful and ultra vires fashion if that proposal or action: (a)
498 violates or was approved in violation of the Convention Rules or
499 the delegate instructions and limitations on delegate authority
500 specified in this Compact; (b) purports to propose or effectuate a
501 mode of ratification that is not specified in Article V of the
502 Constitution of the United States; or (c) purports to propose or
503 effectuate the formation of a new government. All Member States
504 are prohibited from advancing or assisting in the advancement of
505 any such proposal or action.



506 Section 3. Member States shall not ratify or otherwise
507 approve any proposed amendment, alteration or revision to the
508 Constitution of the United States, which originates from the
509 Convention, other than the Balanced Budget Amendment.

510 **ARTICLE IX**

511 **RESOLUTION PROSPECTIVELY RATIFYING THE BALANCED BUDGET AMENDMENT**

512 Section 1. Each Member State, by and through its respective
513 Legislature, hereby adopts and ratifies the Balanced Budget
514 Amendment.

515 Section 2. This Article does not take effect until Congress
516 effectively refers the Balanced Budget Amendment to the States for
517 ratification by three-fourths (3/4) of the Legislatures of the
518 several States under Article V of the Constitution of the United
519 States.

520 **ARTICLE X**

521 **CONSTRUCTION, ENFORCEMENT, VENUE, AND SEVERABILITY**

522 Section 1. To the extent that the effectiveness of this
523 Compact or any of its Articles or provisions requires the
524 alteration of local legislative rules, drafting policies, or
525 procedure to be effective, the enactment of legislation enacting,
526 adopting and agreeing to be bound by this Compact shall be deemed
527 to waive, repeal, supersede, or otherwise amend and conform all
528 such rules, policies or procedures to allow for the effectiveness
529 of this Compact to the fullest extent permitted by the
530 constitution of any affected Member State.



531 Section 2. Date and Location of the Convention. Unless
532 otherwise specified by Congress in its call, the Convention shall
533 be held in Dallas, Texas and commence proceedings at 9:00 a.m.
534 Central Standard Time on the sixth Wednesday after the latter of
535 the effective date of Article V of this Compact or the enactment
536 date of the Congressional resolution calling the Convention.

537 Section 3. In addition to all other powers and duties
538 conferred by state law which are consistent with the terms and
539 conditions of this Compact, the chief law enforcement officer of
540 each Member State is empowered to defend the Compact from any
541 legal challenge, as well as to seek civil mandatory and
542 prohibitory injunctive relief to enforce this Compact; and shall
543 take such action whenever the Compact is challenged or violated.

544 Section 4. The exclusive venue for all actions in any way
545 arising under this Compact shall be in the United States District
546 Court for the Northern District of Texas or the courts of the
547 State of Texas within the jurisdictional boundaries of the
548 foregoing district court. Each Member State shall submit to the
549 jurisdiction of said courts with respect to such actions.
550 However, upon written request by the chief law enforcement officer
551 of any Member State, the Commission may elect to waive this
552 provision for the purpose of ensuring an action proceeds in the
553 venue that allows for the most convenient and effective
554 enforcement or defense of this Compact. Any such waiver shall be
555 limited to the particular action to which it is applied and not



556 construed or relied upon as a general waiver of this provision.
557 The waiver decisions of the Commission under this provision shall
558 be final and binding on each Member State.

559 Section 5. The effective date of this Compact and any of its
560 Articles is the latter of: (a) the date of any event rendering
561 the same effective according to its respective terms and
562 conditions; or (b) the earliest date otherwise permitted by law.

563 Section 6. Article VIII of this Compact is hereby deemed
564 non-severable prior to termination of the Compact. However, if
565 any other phrase, clause, sentence or provision of this Compact,
566 or the applicability of any other phrase, clause, sentence or
567 provision of this Compact to any government, agency, person or
568 circumstance, is declared in a final judgment to be contrary to
569 the Constitution of the United States, contrary to the state
570 constitution of any Member State, or is otherwise held invalid by
571 a court of competent jurisdiction, such phrase, clause, sentence
572 or provision shall be severed and held for naught, and the
573 validity of the remainder of this Compact and the applicability of
574 the remainder of this Compact to any government, agency, person or
575 circumstance shall not be affected. Furthermore, if this Compact
576 is declared in a final judgment by a court of competent
577 jurisdiction to be entirely contrary to the state constitution of
578 any Member State or otherwise entirely invalid as to any Member
579 State, such Member State shall be deemed to have withdrawn from
580 the Compact, and the Compact shall remain in full force and effect



581 as to any remaining Member State. Finally, if this Compact is
582 declared in a final judgment by a court of competent jurisdiction
583 to be wholly or substantially in violation of Article I, Section
584 10, of the Constitution of the United States, then it shall be
585 construed and enforced solely as reciprocal legislation enacted by
586 the affected Member State(s).

587 Section 7. Termination. This Compact shall terminate and be
588 held for naught when the Compact is fully performed and the
589 Constitution of the United States is amended by the Balanced
590 Budget Amendment. However, notwithstanding anything to the
591 contrary set forth in this Compact, in the event such amendment
592 does not occur * * * on or before April 12, 2031, the Compact
593 shall terminate as follows: (a) the Commission shall dissolve and
594 wind up its operations within ninety (90) days thereafter, with
595 the Compact Administrator giving notice of such dissolution and
596 the operative effect of this section to the Compact Notice
597 Recipients; and (b) upon the completed dissolution of the
598 Commission, this Compact shall be deemed terminated, repealed,
599 void ab initio, and held for naught.

600 **SECTION 2.** This act shall take effect and be in force from
601 and after passage."

