



Support SB 282 to Nullify Unconstitutional Federal Spending in Oklahoma

Legislation has been introduced in the Oklahoma Legislature that would nullify unconstitutional federal spending. ***It is imperative that legislators uphold the U.S. Constitution by enacting this important bill!***

Senate Bill 282 ([SB 282](#)), titled the “Budget Accountability for State’s Economic Defense (BASED) Act,” is sponsored by Senator Dusty Deever (R-Elgin). In the bill’s legislative findings, it declares:

State sovereignty and constitutional duty: The tenth amendment to the United States Constitution reserves to the states all powers not delegated to the federal government. Oklahoma has both the constitutional authority and the fiduciary duty to protect its citizens from economic harm caused by federal fiscal mismanagement....

This state’s obligation to protect property rights: Section 2 of Article II of the Oklahoma Constitution states, “All persons have the inherent right to life, liberty, the pursuit of happiness, and the enjoyment of the gains of their own industry”. The devaluation of citizens’ labor and property through inflation and unbalanced federal spending undermines this fundamental right. Oklahoma has an obligation to protect its citizens’ income and wealth from the economic harm currently being inflicted and the unimaginable harm to come if the federal deficit continues to grow.

SB 282 then declares the actions it requires:

1. Withhold the remittance of federal income taxes collected within this state until the United States Congress passes a balanced federal budget; and
2. Protect Oklahoma taxpayers, state employees, agencies, businesses, and entities from retaliation by the federal government for this state’s lawful assertion of its constitutional duty to safeguard

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citizens.

In addition to requiring federal income taxes to go to the state government, rather than being delivered to the unconstitutional Internal Revenue Service, SB 282 would protect citizens who defy the federal government:

A. The federal government is prohibited from any punitive action against any citizen, state employee, state agency, political subdivision, business, or entity within this state for compliance with the provisions of this act. Any attempt by the federal government to withhold federal funds otherwise lawfully allocated to this state shall be deemed unlawful and unconstitutional.

B. Any federal fines, sanctions, punishments, or penalties levied or enforced against any individual or employer for compliance with the provisions of this act shall be null and void.

SB 282 is firmly grounded in the text of the U.S. Constitution. In particular, [Article VI](#) states, "This Constitution, and the Laws of the United States which shall be made in Pursuance thereof ... shall be the supreme Law of the Land." Additionally, the [10th Amendment](#) makes clear that all powers not granted by the Constitution to the federal government are reserved to the states and to the people.

Accordingly, any federal action that violates or contradicts the Constitution cannot be "made in Pursuance thereof" and, thus, is not "the supreme Law of the Land." Unfortunately, in the last several decades, thousands of unconstitutional laws on the federal, state, and even local levels have been created and enforced.

SB 282 follows and enforces both important constitutional provisions (Article VI and the 10th Amendment). If our leaders adhered consistently to the Constitution, 80 percent of the federal government would be declared unconstitutional. **State officials must boldly enforce the Constitution, even in the face of opposition by the federal government and political establishment.**

If the Constitution is fully enforced, the size and scope of government will shrink significantly. The time to begin enforcing it is now. Urge your state legislators to take immediate action by enacting SB 282.