

**Article 1 - Law amending the Basic Law (Articles 109, 115 and 143h) (GGÄndG <sup>kaAbk.</sup> )**

Law of 22.03.2025 BGBl. 2025 I No. 94 : valid from 25.03.2025

[1 change](#) [Printed matter / draft / justification](#)**Article 1 Amendment of the Basic Law**

The Basic Law for the Federal Republic of Germany in the revised version published in the Federal Law Gazette Part III, section number 100-1, as last amended by [Article 1 of the Act of 20 December 2024 \(Federal Law Gazette 2024 I No. 439\)](#), is amended as follows:

1. [Article 109, paragraph 3, sentence 5](#) is replaced by the following sentences:

"The amount by which defense expenditures, federal expenditures for civil and population protection, as well as for the intelligence services, for the protection of information technology systems, and for assistance to states attacked in violation of international law exceed 1 percent of nominal gross domestic product shall be deducted from the revenue from loans to be taken into account. The states as a whole shall comply with sentence 1 if the revenue from loans generated by them does not exceed 0.35 percent of nominal gross domestic product. The allocation of the borrowing permissible for the states as a whole pursuant to sentence 6 among the individual states shall be regulated by a federal law with the consent of the Bundesrat. The states shall regulate the detailed design of the budgets within the framework of their constitutional powers. Existing provisions under state law that fall short of the borrowing ceiling established pursuant to sentence 7 shall cease to apply."

2. [Article 115\(2\)](#) is amended as follows:

a) After sentence 3, the following sentence is inserted:

"The amount by which defence expenditure, federal expenditure on civil and population protection, on intelligence services, on the protection of information technology systems and on assistance to states attacked in violation of international law exceeds 1 per cent in relation to the nominal gross domestic product shall be deducted from the income from loans to be taken into account."

b) In the new sentence 5, the words "sentences 1 to 3" are replaced by the words "sentences 1 to 4".

c) In the new sentence 6, after the words "transactions and", the words "for defence expenditure, federal expenditure on civil and population protection and on intelligence services, on the protection of information technology systems and on aid to states attacked in violation of international law above 1 per cent in relation to nominal gross domestic product and" are inserted.

d) In the new sentence 9, the reference "sentence 6" is replaced by the reference "sentence 7".

3. After [Article 143g](#), the following [Article 143h](#) is inserted:

" [Article 143h](#)

(1) The Federal Government may establish a special fund with its own borrowing authority for additional investments in infrastructure and for additional investments to achieve climate neutrality by 2045, with a volume of up to EUR 500 billion. Additionality shall be deemed to exist if an appropriate investment quota is achieved in the federal budget in the respective fiscal year. [Article 109\(3\)](#) and [Article 115\(2\)](#) shall not apply to the borrowing authority. Investments from the special fund may be approved within a term of twelve years. Transfers from the special fund to the Climate and Transformation Fund shall be made in the amount of EUR 100 billion. Further details shall be regulated by a federal law.

(2) From the special fund pursuant to paragraph 1, sentence 1, €100 billion shall also be available to the states for investments in their infrastructure. The states shall report to the federal government on the use of the funds. The federal government shall be entitled to audit the appropriate use of the funds. Further details shall be regulated by a federal law with the consent of the Bundesrat.