

1-1 By: Ashby, et al. (Senate Sponsor - Huffman) H.J.R. No. 125
 1-2 (In the Senate - Received from the House April 27, 2023;
 1-3 May 2, 2023, read first time and referred to Committee on Business
 1-4 & Commerce; May 3, 2023, rereferred to Committee on Finance;
 1-5 May 16, 2023, reported adversely, with favorable Committee
 1-6 Substitute by the following vote: Yeas 16, Nays 1; May 16, 2023,
 1-7 sent to printer.)

1-8 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-9				
1-10	Huffman	X		
1-11	Hinojosa	X		
1-12	Bettencourt	X		
1-13	Campbell	X		
1-14	Creighton	X		
1-15	Flores	X		
1-16	Hall	X		
1-17	Hancock	X		
1-18	Hughes	X		
1-19	Kolkhorst	X		
1-20	Nichols	X		
1-21	Paxton	X		
1-22	Perry	X		
1-23	Schwertner		X	
1-24	West	X		
1-25	Whitmire	X		
1-26	Zaffirini	X		

1-27 COMMITTEE SUBSTITUTE FOR H.J.R. No. 125 By: Huffman

1-28 HOUSE JOINT RESOLUTION

1-29 proposing a constitutional amendment creating the broadband
 1-30 infrastructure fund to expand high-speed broadband access and
 1-31 assist in the financing of connectivity projects.

1-32 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-33 SECTION 1. Article III, Texas Constitution, is amended by
 1-34 adding Section 49-d-16 to read as follows:

1-35 Sec. 49-d-16. (a) In this section:

1-36 (1) "Comptroller" means the comptroller of public
 1-37 accounts of the State of Texas or its successor.

1-38 (2) "Fund" means the broadband infrastructure fund.

1-39 (b) The broadband infrastructure fund is created as a
 1-40 special fund in the state treasury outside the general revenue
 1-41 fund.

1-42 (c) The fund consists of:

1-43 (1) money transferred or deposited to the credit of
 1-44 the fund by this constitution, general law, or the General
 1-45 Appropriations Act;

1-46 (2) revenue that the legislature by general law
 1-47 dedicates for deposit to the credit of the fund;

1-48 (3) investment earnings and interest earned on money
 1-49 in the fund; and

1-50 (4) gifts, grants, and donations to the fund.

1-51 (d) Money in the fund shall be administered by the
 1-52 comptroller. Money from the fund may be used only for the expansion
 1-53 of access to and adoption of broadband and telecommunications
 1-54 services, including:

1-55 (1) the development, construction, reconstruction,
 1-56 and expansion of broadband and telecommunications infrastructure
 1-57 or services;

1-58 (2) the operation of broadband and telecommunications
 1-59 infrastructure;

1-60 (3) the provision of broadband and telecommunications

2-1 services; and
2-2 (4) the reasonable expenses of administering and
2-3 managing the investments of the fund.

2-4 (e) The legislature by general law shall provide for the
2-5 manner in which the assets of the fund may be used, subject to the
2-6 limitations of this section. Money in the fund may be used in
2-7 conjunction with other funds or financial resources, including
2-8 money from the federal government, in accordance with procedures,
2-9 standards, and limitations established by federal law and general
2-10 law of this state.

2-11 (f) For purposes of Section 22, Article VIII, of this
2-12 constitution:

2-13 (1) money in the fund is dedicated by this
2-14 constitution; and

2-15 (2) an appropriation of state tax revenues for the
2-16 purpose of depositing money to the credit of the fund is treated as
2-17 if it were an appropriation of revenues dedicated by this
2-18 constitution.

2-19 (g) Unless extended by adoption of a concurrent resolution
2-20 approved by a record vote of two-thirds of the members of each house
2-21 of the legislature, this section expires on September 1, 2035. A
2-22 resolution suspends the expiration of this section until September
2-23 1 of the 10th year following the adoption of the resolution.

2-24 (h) Immediately before the expiration of this section, the
2-25 comptroller shall transfer any unexpended and unobligated balance
2-26 remaining in the fund to the general revenue fund.

2-27 SECTION 2. The following temporary provision is added to
2-28 the Texas Constitution:

2-29 TEMPORARY PROVISION. (a) This temporary provision applies
2-30 to the amendment to Article III of this constitution as proposed by
2-31 the 88th Legislature, Regular Session, 2023, creating the broadband
2-32 infrastructure fund to expand high-speed broadband access and
2-33 assist in the financing of connectivity projects.

2-34 (b) The change made to Article III of this constitution by
2-35 the amendment described in Subsection (a) of this section takes
2-36 effect January 1, 2024.

2-37 (c) This temporary provision expires January 1, 2025.

2-38 SECTION 3. This proposed constitutional amendment shall be
2-39 submitted to the voters at an election to be held November 7, 2023.
2-40 The ballot shall be printed to permit voting for or against the
2-41 proposition: "The constitutional amendment creating the broadband
2-42 infrastructure fund to expand high-speed broadband access and
2-43 assist in the financing of connectivity projects."

2-44 * * * * *