

By: Perry

S.J.R. No. 45

1 A JOINT RESOLUTION

2 proposing a constitutional amendment providing for the creation of  
3 the electric generating facility fund to finance construction and  
4 maintenance of electric generating and transmission facilities.

5 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Article III, Texas Constitution, is amended by  
7 adding Section 49-q to read as follows:

8 Sec. 49-q. (a) The electric generating facility fund is  
9 created as a special fund in the state treasury outside the general  
10 revenue fund.

11 (b) As provided by general law, money in the electric  
12 generating facility fund may be administered and used, without  
13 further appropriation, only by the Public Utility Commission of  
14 Texas or that commission's successor in function to provide loans  
15 to finance the construction and maintenance of electric generating  
16 facilities and associated transmission facilities in this state.

17 (c) The agency administering the electric generating  
18 facility fund may establish separate accounts in the fund as  
19 necessary or convenient for the fund's administration.

20 (d) The electric generating facility fund consists of:

21 (1) money transferred or deposited to the credit of  
22 the fund by or as authorized by law, including money from any source  
23 transferred or deposited to the credit of the fund at the discretion  
24 of the Public Utility Commission of Texas or that commission's

1 successor in function;

2 (2) revenue, including the proceeds of any fee,  
3 assessment, or tax imposed by this state, that general law  
4 dedicates for deposit to the credit of the fund; and

5 (3) investment earnings and interest earned on money  
6 in the fund.

7 SECTION 2. This proposed constitutional amendment shall be  
8 submitted to the voters at an election to be held November 7, 2023.  
9 The ballot shall be printed to permit voting for or against the  
10 proposition: "The constitutional amendment providing for the  
11 creation of the electric generating facility fund to finance  
12 construction and maintenance of electric facilities."