

By: Puente

H.J.R. No. 1

A JOINT RESOLUTION

1 proposing a constitutional amendment allowing the expenditure of  
2 motor vehicle fuel taxes and registration fees for rights-of-way  
3 for railroads and utilities.

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

5 SECTION 1. Section 7-a, Article VIII, Texas Constitution,  
6 is amended to read as follows:

7 Sec. 7-a. Subject to legislative appropriation, allocation  
8 and direction, all net revenues remaining after payment of all  
9 refunds allowed by law and expenses of collection derived from  
10 motor vehicle registration fees, and all taxes, except gross  
11 production and ad valorem taxes, on motor fuels and lubricants used  
12 to propel motor vehicles over public roadways, shall be used for the  
13 sole purpose of acquiring rights-of-way, constructing,  
14 maintaining, and policing such public roadways, and for the  
15 administration of such laws as may be prescribed by the Legislature  
16 pertaining to the supervision of traffic and safety on such roads;  
17 and for the purpose of planning and acquiring rights-of-way for  
18 railroads and utilities, including pipelines, water lines, power  
19 lines, and communications lines, if the Texas Transportation  
20 Commission or its successor finds that the expenditure will benefit  
21 the state highway system; and for the payment of the principal and  
22 interest on county and road district bonds or warrants voted or  
23 issued prior to January 2, 1939, and declared eligible prior to  
24 January 2, 1945, for payment out of the County and Road District

1 Highway Fund under existing law; provided, however, that  
2 one-fourth (1/4) of such net revenue from the motor fuel tax shall  
3 be allocated to the Available School Fund; and, provided, however,  
4 that the net revenue derived by counties from motor vehicle  
5 registration fees shall never be less than the maximum amounts  
6 allowed to be retained by each County and the percentage allowed to  
7 be retained by each County under the laws in effect on January 1,  
8 1945. Nothing contained herein shall be construed as authorizing  
9 the pledging of the State's credit for any purpose.

10 SECTION 2. This proposed constitutional amendment shall be  
11 submitted to the voters at an election to be held November 4, 2003.  
12 The ballot shall be printed to permit voting for or against the  
13 proposition: "The constitutional amendment to allow the  
14 expenditure of motor vehicle fuel taxes and registration fees to  
15 plan and acquire property for railroads and utilities, including  
16 pipelines, water lines, power lines, and communications lines, if  
17 the expenditure will benefit the state highway system."