

By: Isett, Delisi, Wohlgemuth, Bohac,
Christian, et al.

H.J.R. No. 15

Substitute the following for H.J.R. No. 15:

By: Davis of Harris

C.S.H.J.R. No. 15

A JOINT RESOLUTION

1 proposing a constitutional amendment concerning the restriction on
2 the rate of growth of appropriations.

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

4 SECTION 1. Section 22, Article VIII, Texas Constitution, is
5 amended to read as follows:

6 Sec. 22. (a) In no biennium shall the rate of growth of
7 appropriations from all sources of revenue except the federal
8 government [~~state tax revenues not dedicated by this constitution~~]
9 exceed a rate equal to the sum of the estimated rate of growth of the
10 state's population and the estimated rate of inflation in the state
11 [~~the state's economy~~]. In this subsection, the rate of growth of
12 appropriations from the current biennium to the next biennium is
13 the percentage difference between:

14 (1) the lesser of:

15 (A) the amount of money appropriated for the
16 current biennium from all sources of revenue other than the federal
17 government, as cumulatively estimated by the comptroller at the
18 times the comptroller endorsed, in accordance with Article III,
19 Section 49a, of this constitution, the comptroller's certificate on
20 the bills making the appropriations; and

21 (B) the amount of money actually appropriated for
22 the current biennium from all sources of revenue other than the
23 federal government, using the most recently available information;
24 and

1 (2) the amount of money appropriated for the next
2 biennium from all sources of revenue other than the federal
3 government, as finally estimated by the comptroller at the times
4 the Acts making appropriations are considered by the comptroller
5 under Article III, Section 49a, of this constitution.

6 (b) The legislature shall provide by general law procedures
7 to implement Subsection (a) of this section [~~subsection~~].

8 (c) [~~(b)~~] If the legislature by adoption of a resolution
9 approved by a record vote of two-thirds [~~a majority~~] of the members
10 of each house finds that an emergency exists and identifies the
11 nature of the emergency, the legislature may provide for
12 appropriations in excess of the amount authorized by Subsection (a)
13 of this section. The excess authorized under this subsection may
14 not exceed the amount specified in the resolution.

15 (d) [~~(c)~~] In no case shall appropriations exceed revenues
16 as provided in Article III, Section 49a, of this constitution.
17 Nothing in this section shall be construed to alter, amend, or
18 repeal Article III, Section 49a, of this constitution.

19 SECTION 2. Section 49a, Article III, Texas Constitution, is
20 amended by adding Subsection (c) to read as follows:

21 (c) No bill containing an appropriation of money from any
22 source except the federal government shall be considered as passed
23 or be sent to the Governor for consideration until and unless the
24 Comptroller of Public Accounts endorses the Comptroller's
25 certificate thereon showing that the appropriation does not
26 contravene the limitation on the rate of growth of appropriations
27 imposed by Section 22, Article VIII, of this constitution. When the

1 Comptroller finds that a bill contains an appropriation that
2 contravenes the limitation on the rate of growth of appropriations,
3 the Comptroller shall endorse that finding on the bill, return the
4 bill to the House from which it originated, and immediately notify
5 the House of Representatives and the Senate of the finding.

6 SECTION 3. The following temporary provision is added to
7 the Texas Constitution:

8 TEMPORARY PROVISION. (a) This temporary provision applies
9 to the amendment to Section 22, Article VIII, and Section 49a,
10 Article III, of this constitution, proposed by the 78th
11 Legislature, Regular Session, 2003, restricting the rate of growth
12 of appropriations from all sources of revenue except the federal
13 government to a rate equal to the sum of the estimated rate of
14 growth of the state's population and the estimated rate of
15 inflation in the state. This temporary provision expires September
16 2, 2005.

17 (b) The changes made to Section 22, Article VIII, and
18 Section 49a, Article III, of this constitution by the amendment
19 apply only in relation to appropriations made for the state fiscal
20 biennium beginning September 1, 2005, and subsequent state fiscal
21 bienniums. Appropriations for the state fiscal biennium that
22 begins September 1, 2003, are governed by Section 22, Article VIII,
23 and Section 49a, Article III, as they existed immediately before
24 the amendment was approved by the voters.

25 SECTION 4. This proposed constitutional amendment shall be
26 submitted to the voters at an election to be held November 4, 2003.
27 The ballot shall be printed to permit voting for or against the

1 proposition: "The constitutional amendment to limit the rate of
2 growth of the state budget paid from all sources of revenue except
3 the federal government to a rate equal to the sum of the rate of
4 growth of the state's population and the rate of inflation."