

By: Isett

H.J.R. No. 53

A JOINT RESOLUTION

1 proposing a constitutional amendment to require a two-thirds vote
2 of the membership of the house of representatives to enact certain
3 tax or fee bills.

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

5 SECTION 1. Article VIII, Texas Constitution, is amended by
6 adding Section 25 to read as follows:

7 Sec. 25. (a) An affirmative vote of two-thirds of the
8 members elected to the house of representatives is required for
9 passage by the legislature of a bill that:

10 (1) imposes a state tax or fee;

11 (2) increases the rate of a state tax or fee;

12 (3) extends the application of a state tax or fee to a
13 new class of persons, property, transactions, or other items not
14 previously taxed or subject to the fee; or

15 (4) changes a state tax or fee in a manner that
16 increases the liability of all persons, property, transactions, or
17 other items subject to the tax or fee.

18 (b) This section applies to the enactment by bill of a
19 general law covered by Section 24(a) or (b) of this article.

20 (c) This section does not apply to the repeal or amendment
21 of an exemption or other exception expressly provided by statute on
22 September 1, 2003.

23 (d) In this section, "state tax or fee" does not include:

24 (1) a tax, fee, or other levy imposed by a political

1 subdivision of this state;

2 (2) a fine, penalty, or interest charge; or

3 (3) a charge for a specific service, property, or
4 other item in an amount that reasonably relates to the value of the
5 service, property, or item.

6 SECTION 2. This proposed constitutional amendment shall be
7 submitted to the voters at an election to be held November 4, 2003.
8 The ballot shall be printed to permit voting for or against the
9 proposition: "The constitutional amendment to require a two-thirds
10 vote of the house of representatives for a bill that imposes,
11 increases, or extends the application of a state tax or fee."