

By: Lewis

H.J.R. No. 91

A JOINT RESOLUTION

1 proposing a constitutional amendment allowing a state mandate
2 imposed on a county to have effect only if the state provides for
3 the payment to the county of the cost of the mandate.

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

5 SECTION 1. Article III, Texas Constitution, is amended by
6 adding Section 66 to read as follows:

7 Sec. 66. (a) A mandate adopted on or after January 1, 2004,
8 by the legislature or by rule of a state agency that requires a
9 county to establish, expand, or modify an activity in any way that
10 requires the expenditure of revenue by the county that would not
11 have been required in the absence of the statute or rule is
12 effective only if the legislature appropriates or otherwise
13 provides for payment or reimbursement to the county of the costs
14 incurred by the county in complying with the requirement.

15 (b) This section does not apply to a mandate:

16 (1) imposed by the legislature or a state agency to
17 comply with a requirement of this constitution, federal law, or a
18 court order; or

19 (2) approved by the voters of this state at a general
20 election.

21 SECTION 2. This proposed constitutional amendment shall be
22 submitted to the voters at an election to be held November 4, 2003.
23 The ballot shall be printed to permit voting for or against the
24 proposition: "The constitutional amendment allowing a state

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1 mandate imposed on a county to have effect only if the state
2 provides for the payment to the county of the cost of the mandate."