

By: Ogden

S.J.R. No. 43

1 SENATE JOINT RESOLUTION

2 proposing a constitutional amendment authorizing the Texas  
3 Department of Transportation to borrow money from the permanent  
4 school fund to finance the acquisition of rights-of-way.

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

6 SECTION 1. Article VII, Texas Constitution, is amended by  
7 adding Section 5a to read as follows:

8 Sec. 5a. (a) The legislature by general law may authorize  
9 the State Board of Education to make loans from the permanent school  
10 fund for the purpose of acquiring rights-of-way for development of  
11 the state highway system.

12 (b) A general law enacted under this section may set the  
13 interest rate to be paid on a loan under this section, provided that  
14 the interest rate may not be less than the average rate of return  
15 for the preceding five state fiscal years on all permanent school  
16 fund investments other than a loan under this section.

17 (c) The total principal amount of loans under this section  
18 outstanding at any one time may not exceed \$1 billion.

19 (d) Any loan under this section must be guaranteed by the  
20 first money received under Section 7-a, Article VIII, of this  
21 constitution.

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

1 proposition: "The constitutional amendment allowing the State  
2 Board of Education to make loans from the permanent school fund to  
3 the State of Texas to be used for the acquisition of rights-of-way  
4 for the state highway system, with a limitation of \$1 billion on the  
5 total principal outstanding at any one time and a guaranteed  
6 payment of interest at a rate at least equal to the average rate of  
7 return on other permanent school fund investments."