

By: Shapiro

S.J.R. No. 10

A JOINT RESOLUTION

1 proposing a constitutional amendment dedicating certain increases  
2 in state tax revenue to public education.

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

4 SECTION 1. Section 3, Article VII, Texas Constitution, is  
5 amended by adding Subsection (f) to read as follows:

6 (f) In any state fiscal year, the following state tax  
7 revenues may be used only for purposes related to public education  
8 as provided by the legislature:

9 (1) increases in revenue from the state franchise tax  
10 that are attributable to the changes in law made by H.B. No. 3, Acts  
11 of the 79th Legislature, 3rd Called Session, 2006, or similar  
12 legislation that revises the state franchise tax;

13 (2) increases in revenue from state motor vehicle  
14 sales and use taxes that are attributable to H.B. No. 4, Acts of the  
15 79th Legislature, 3rd Called Session, 2006, or similar legislation  
16 that revises the state motor vehicle sales and use taxes; and

17 (3) increases in revenue from the state taxes imposed  
18 on the sale of cigarettes and other tobacco products that are  
19 attributable to the changes in law made by H.B. No. 5, Acts of the  
20 79th Legislature, 3rd Called Session, 2006, or similar legislation  
21 that increases the rate of the state tax imposed on the sale of  
22 cigarettes or the rate of the state tax imposed on the sale of other  
23 tobacco products.

24 SECTION 2. The following temporary provision is added to

1 the Texas Constitution:

2 TEMPORARY PROVISION. (a) This temporary provision applies  
3 to the constitutional amendment proposed by the 79th Legislature,  
4 3rd Called Session, 2006, dedicating increases in certain state tax  
5 revenues attributable to certain Acts of the 79th Legislature, 3rd  
6 Called Session, 2006, to public education.

7 (b) The amendment to Section 3, Article VII, of this  
8 Constitution takes effect September 1, 2007, and applies only to  
9 state tax revenues that are collected on or after that date.

10 SECTION 3. This proposed constitutional amendment shall be  
11 submitted to the voters at an election to be held November 7, 2006,  
12 but only if House Bill No. 3, 4, or 5, Acts of the 79th Legislature,  
13 3rd Called Session, 2006, or similar legislation, is enacted and  
14 becomes law. If none of those Acts and no other similar legislation  
15 becomes law, this proposed constitutional amendment shall not be  
16 submitted to the voters. If this proposed constitutional amendment  
17 is submitted to the voters, the ballot for the election shall be  
18 printed to permit voting for or against the proposition: "The  
19 constitutional amendment dedicating certain increases in revenues  
20 from franchise taxes, motor vehicle sales and use taxes, and taxes  
21 on cigarettes and other tobacco products to public education."