

By: Brimer

S.J.R. No. 23

A JOINT RESOLUTION

1 proposing a constitutional amendment limiting the constitutional
2 dedication of revenue from a tax on motor fuels to taxes imposed by
3 this state.

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

5 SECTION 1. Section 7-a, Article VIII, Texas Constitution,
6 is amended to read as follows:

7 Sec. 7-a. Subject to legislative appropriation, allocation
8 and direction, all net revenues remaining after payment of all
9 refunds allowed by law and expenses of collection derived from
10 motor vehicle registration fees, and all state taxes, except gross
11 production and ad valorem taxes, on motor fuels and lubricants used
12 to propel motor vehicles over public roadways, shall be used for the
13 sole purpose of acquiring rights-of-way, constructing,
14 maintaining, and policing such public roadways, and for the
15 administration of such laws as may be prescribed by the Legislature
16 pertaining to the supervision of traffic and safety on such roads;
17 and for the payment of the principal and interest on county and road
18 district bonds or warrants voted or issued prior to January 2, 1939,
19 and declared eligible prior to January 2, 1945, for payment out of
20 the County and Road District Highway Fund under existing law;
21 provided, however, that one-fourth (1/4) of such net revenue from
22 the state motor fuel tax shall be allocated to the Available School
23 Fund; and, provided, however, that the net revenue derived by
24 counties from motor vehicle registration fees shall never be less

1 than the maximum amounts allowed to be retained by each County and
2 the percentage allowed to be retained by each County under the laws
3 in effect on January 1, 1945. Nothing contained herein shall be
4 construed as authorizing the pledging of the State's credit for any
5 purpose. This section does not apply to a tax on motor fuels
6 imposed by a political subdivision of this State.

7 SECTION 2. This proposed constitutional amendment shall be
8 submitted to the voters at an election to be held November 8, 2005.
9 The ballot shall be printed to permit voting for or against the
10 proposition: "The constitutional amendment limiting the dedication
11 of revenue from a tax on motor fuels to taxes imposed by this
12 state."