

BILL ANALYSIS

Senate Research Center
80R10008 JTS-D

S.J.R. 46
By: Carona
Transportation & Homeland Security
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Current law authorizes the legislature to authorize the Texas Transportation Commission or its successor to authorize the Texas Department of Transportation (TxDOT) or its successor to issue notes or to borrow money from any source to carry out TxDOT functions. Notes obtained under this section are prohibited from having a term of more than two years and may only be paid from certain dedicated funds. A change in statutory law regarding the two-year term limit on notes and the money permitted to be used to pay for those notes may offer flexibility in the use of short-term notes and loans for transportation projects and in the legislature's payment of the debts created by those notes.

S.J.R. 46 proposes a constitutional amendment to remove the restriction limiting debt issued under Section 49-m (Texas Department of Transportation Short Term Notes and Loans), Article III, Texas Constitution, and to authorize the legislature to use other funds in addition to the money dedicated to the payment of said debt.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 49- m(b), Article III, Texas Constitution, as follows:

(b) Deletes existing text prohibiting notes issued or a loan obtained under Section 49-m (Texas Department of Transportation Short Term Notes and Loans), Article III, Texas Constitution, from having a term of more than two years. Authorizes the legislature to appropriate money from any source, including money dedicated by Sections 7-a and 7-b (respectively regarding revenues from taxes related to motor vehicles and from federal reimbursement), Article VIII, Texas Constitution, for the purpose of paying a debt created by the notes or loan.

SECTION 2. Requires this proposed constitutional amendment to be submitted to the voters at an election to be held November 6, 2007. Sets forth the required language for the ballot.