

By: Riddle

H.J.R. No. 33

A JOINT RESOLUTION

1 proposing a constitutional amendment concerning the restriction on
2 the rate of growth of state appropriations.

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

4 SECTION 1. Section 22, Article VIII, Texas Constitution, is
5 amended to read as follows:

6 Sec. 22. (a) In no biennium shall the rate of growth of
7 appropriations from all sources of revenue except the federal
8 government [~~state tax revenues not dedicated by this constitution~~]
9 exceed a rate equal to the sum of the estimated rate of growth of the
10 state's population and the estimated rate of inflation in the state
11 [economy]. In this subsection, the rate of growth of
12 appropriations from the current biennium to the next biennium is
13 the percentage difference between:

14 (1) the lesser of:

15 (A) the amount of money appropriated for the
16 current biennium from all sources of revenue other than the federal
17 government, as cumulatively estimated by the comptroller at the
18 times the comptroller endorsed, in accordance with Article III,
19 Section 49a, of this constitution, the comptroller's certificate on
20 the bills making the appropriations; and

21 (B) the amount of money actually appropriated for
22 the current biennium from all sources of revenue other than the
23 federal government, using the most recently available information;
24 and

1 (2) the amount of money appropriated for the next
2 biennium from all sources of revenue other than the federal
3 government, as finally estimated by the comptroller at the times
4 the Acts making appropriations are considered by the comptroller
5 under Article III, Section 49a, of this constitution.

6 (b) The legislature shall provide by general law procedures
7 to implement Subsection (a) of this section [~~subsection~~].

8 (c) [~~(b)~~] If the legislature by adoption of a resolution
9 approved by a record vote of two-thirds [~~a majority~~] of the members
10 of each house finds that an emergency exists and identifies the
11 nature of the emergency, the legislature may provide for
12 appropriations in excess of the amount authorized by Subsection (a)
13 of this section. The excess authorized under this subsection may
14 not exceed the amount specified in the resolution.

15 (d) Appropriations may not [~~(c) In no case shall~~
16 ~~appropriations~~] exceed revenues as provided in Article III, Section
17 49a, of this constitution. Nothing in this section shall be
18 construed to alter, amend, or repeal Article III, Section 49a, of
19 this constitution.

20 SECTION 2. The following temporary provision is added to
21 the Texas Constitution:

22 TEMPORARY PROVISION. (a) This temporary provision applies
23 to the amendment to Section 22, Article VIII, of this constitution,
24 proposed by the 80th Legislature, Regular Session, 2007,
25 restricting the rate of growth of appropriations from all sources
26 of revenue except the federal government to a rate equal to the sum
27 of the estimated rate of growth of the state's population and the

1 estimated rate of inflation in the state. This temporary provision
2 expires December 1, 2009.

3 (b) The changes made to Section 22, Article VIII, of this
4 constitution by the amendment apply only in relation to
5 appropriations made for the state fiscal biennium beginning
6 September 1, 2009, and subsequent state fiscal bienniums.
7 Appropriations for the state fiscal biennium that began September
8 1, 2007, are governed by Section 22, Article VIII, as it existed
9 immediately before the amendment was approved by the voters.

10 SECTION 3. This proposed constitutional amendment shall be
11 submitted to the voters at an election to be held November 4, 2008.
12 The ballot shall be printed to permit voting for or against the
13 proposition: "The constitutional amendment to limit the rate of
14 growth of the state budget paid from all sources of revenue except
15 the federal government to a rate equal to the sum of the rate of
16 growth of the state's population and the rate of inflation."