

By: Christian

H.J.R. No. 95

A JOINT RESOLUTION

1 proposing a constitutional amendment directing state and local
2 governmental entities that invest public funds to make investments
3 that will benefit the Texas economy to the extent that it is
4 possible to do so under a prudent investment strategy.

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

6 SECTION 1. Article XVI, Texas Constitution, is amended by
7 adding Section 73 to read as follows:

8 Sec. 73. (a) In this section:

9 (1) "Local governmental entity" means a city, county,
10 school district, conservation and reclamation district, other
11 special purpose district, or any other political subdivision of
12 this state, including a local governmental entity or division of a
13 local governmental entity responsible for retirement funds.

14 (2) "Public funds" includes:

15 (A) the assets of a retirement plan or system;

16 and

17 (B) funds dedicated by this constitution or for
18 which an investment standard is prescribed by this constitution.

19 (3) "State governmental entity" means a board,
20 commission, office, institution, or other agency in any branch of
21 state government, including an institution of higher education or a
22 retirement system.

23 (b) Each state or local governmental entity that invests
24 public funds and each entity that invests public funds for a state

1 or local governmental entity shall determine, for each investment
2 of public funds, whether it is reasonably possible to make an
3 investment that will probably provide a benefit to the Texas
4 economy and that is an equally prudent investment in comparison to
5 alternative investments that would probably provide no benefit or
6 insignificant benefits to the Texas economy. If the entity
7 determines that it is reasonably possible to make such an equally
8 prudent investment that will probably provide a benefit to the
9 Texas economy, the entity shall invest the public funds in that
10 manner.

11 SECTION 2. This proposed constitutional amendment shall be
12 submitted to the voters at an election to be held November 6, 2007.
13 The ballot shall be printed to permit voting for or against the
14 proposition: "The constitutional amendment directing state and
15 local governmental entities that invest public funds to make
16 investments that will benefit the Texas economy to the extent that
17 it is possible to do so under a prudent investment strategy."