

By: Ogden

S.C.R. No. 20

1 SENATE CONCURRENT RESOLUTION

2 WHEREAS, A special session of the legislature was called by  
3 Governor Rick Perry on April 17, 2006, to respond to the Texas  
4 Supreme Court decision in *Neeley v. West Orange-Cove Consolidated*  
5 *Independent School District*, 176 S.W. 3d 746 (Tex. 2005); and

6 WHEREAS, The legislature responded by enacting House Bill 1  
7 (Chapter 5, Acts of the 79th Legislature, 3rd Called Session,  
8 2006), which provides for increasing state aid to school districts  
9 for the purpose of reducing school district maintenance and  
10 operations taxes by 11.33 percent for the 2006 tax year and 33.33  
11 percent for the 2007 tax year with the understanding that further  
12 state aid for the purpose of reducing school district taxes for  
13 maintenance and operations would be forthcoming in subsequent  
14 years; and

15 WHEREAS, House Bill 1 received overwhelming support in both  
16 houses of the legislature, passing by a margin of 31-0 in the Senate  
17 and 136-8 in the House of Representatives; and

18 WHEREAS, House Bill 1 establishes a mechanism for providing  
19 significant relief from school district property taxes by  
20 realigning funding for the public school system, specifically by  
21 providing for increasing the share of funds from state taxes and  
22 reducing the share of funds from school district property taxes;  
23 and

24 WHEREAS, The provision in House Bill 1 for substantially

1 increasing the state's share of public school funding reverses a  
2 long-term trend of increasing reliance on local property taxes; and

3 WHEREAS, House Bill 1 calls for a reduction in school  
4 district property tax bills in Texas by an estimated \$7 billion  
5 annually in fiscal years 2008 and 2009; and

6 WHEREAS, House Bill 1, by providing a mechanism for  
7 significantly reducing school district property taxes, makes home  
8 ownership more affordable for Texas families; and

9 WHEREAS, Funding the school district property tax relief  
10 mechanism provided by House Bill 1 is essential to the promotion of  
11 long-term economic growth in Texas; and

12 WHEREAS, Senate Bill 2, 80th Legislature, Regular Session,  
13 2007, or similar legislation makes appropriations for the purpose  
14 of implementing the school district property tax rate reduction  
15 mechanism established by House Bill 1; and

16 WHEREAS, Appropriations made by Senate Bill 2 are separate  
17 from and in addition to appropriations made by the general  
18 appropriations bill, Senate Bill 1, 80th Legislature, Regular  
19 Session, 2007, or similar legislation; and

20 WHEREAS, Appropriations made by the general appropriations  
21 bill are subject to the constitutional spending limit for state tax  
22 revenues not dedicated by the constitution, and appropriations made  
23 from those sources in Senate Bill 1 or similar legislation are less  
24 than the amount authorized by Subsection (a), Section 22, Article  
25 VIII, Texas Constitution; now, therefore, be it

26 RESOLVED by the Legislature of the State of Texas, That the  
27 legislature finds that the existing need for lower school district

1 property taxes constitutes an emergency for the people of Texas;  
2 and, be it further

3         RESOLVED, That the 80th Legislature may appropriate state tax  
4 revenues not dedicated by the Texas Constitution for the state  
5 fiscal biennium ending August 31, 2009, in an amount not to exceed  
6 \$14,191,100,000 more than the amount authorized by Subsection (a),  
7 Section 22, Article VIII, Texas Constitution, with \$14,191,100,000  
8 being the amount appropriated for the biennium by Senate Bill 2,  
9 80th Legislature, Regular Session, 2007, or similar legislation  
10 making appropriations for the purpose of funding school district  
11 property tax rate reductions in accordance with Section 42.2516,  
12 Education Code, as added by House Bill 1 (Chapter 5, Acts of the  
13 79th Legislature, 3rd Called Session, 2006).