

By: Williams

S.J.R. No. 56

A JOINT RESOLUTION

1 proposing a constitutional amendment regarding limitations on the
2 rate of growth of expenditures by the state government.

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) The ~~[In no biennium shall the]~~ rate of growth
7 of appropriations from the state treasury for a fiscal biennium, as
8 compared to the previous fiscal biennium, from all available
9 sources of revenue except the federal government may not ~~[state tax~~
10 ~~revenues not dedicated by this constitution]~~ exceed the average
11 ~~[estimated]~~ rate of growth during the three previous fiscal
12 bienniums of population and inflation in this state as estimated by
13 the comptroller of public accounts ~~[the state's economy]~~. The
14 comptroller shall estimate the rate of growth by subtracting one
15 from the product of:

16 (1) the sum of one and the estimated average rate of
17 growth of this state's population during the three previous fiscal
18 bienniums; and

19 (2) the sum of one and the estimated average rate of
20 growth in the consumer price index during the three previous fiscal
21 bienniums.

22 (b) During the first week of each regular legislative
23 session, the comptroller of public accounts shall specify the limit
24 under this section on the amount of permissible appropriations from

1 all available sources of revenue except the federal government for
 2 the next fiscal biennium. The comptroller shall determine the
 3 limit by multiplying the amount of appropriations for the
 4 then-current fiscal biennium by the sum of one plus the
 5 comptroller's estimated average rate of growth of population and
 6 inflation in this state as determined under Subsection (a) of this
 7 section. ~~[The legislature shall provide by general law procedures~~
 8 ~~to implement this subsection.]~~

9 (c) ~~[(b)]~~ If the legislature by adoption of a resolution
 10 approved by a record vote of a majority of the members of each house
 11 finds that an emergency exists and identifies the nature of the
 12 emergency, the legislature may provide for appropriations in excess
 13 of the applicable amount the comptroller of public accounts
 14 specifies under ~~[authorized by]~~ Subsection (b) ~~[(a)]~~ of this
 15 section as the limit on the permissible amount of appropriations.
 16 The total of the excess appropriations authorized by resolutions
 17 approved under this subsection may not exceed the total of the
 18 amounts ~~[amount]~~ specified in those resolutions ~~[the resolution]~~.

19 (d) ~~[(c)]~~ In no case shall appropriations exceed revenues
 20 as provided in Article III, Section 49a, of this constitution.
 21 Nothing in this section shall be construed to alter, amend, or
 22 repeal Article III, Section 49a, of this constitution.

23 SECTION 2. Section 49a, Article III, Texas Constitution, is
 24 amended by adding Subsection (c) to read as follows:

25 (c) A bill containing an appropriation of money from any
 26 source except the federal government may not be considered as
 27 passed and may not be sent to the Governor for consideration until

1 and unless the Comptroller of Public Accounts endorses on the bill
2 the Comptroller's certificate showing that the appropriation does
3 not contravene the limitation on the rate of growth of
4 appropriations imposed by Section 22, Article VIII, of this
5 constitution. When the Comptroller finds that a bill contains an
6 appropriation that contravenes the limitation on the rate of growth
7 of appropriations, the Comptroller shall endorse that finding on
8 the bill, return the bill to the House from which it originated, and
9 immediately notify the House of Representatives and the Senate of
10 the finding.

11 SECTION 3. The following temporary provision is added to
12 the Texas Constitution:

13 TEMPORARY PROVISION. (a) This temporary provision applies
14 to the amendments to Section 22, Article VIII, and Section 49a,
15 Article III, of this constitution regarding a limitation on the
16 rate of growth of appropriations. This temporary provision expires
17 December 1, 2010.

18 (b) The changes made to Section 22, Article VIII, and
19 Section 49a, Article III, of this constitution by the amendments
20 apply only in relation to appropriations made for the state fiscal
21 biennium beginning September 1, 2009, and subsequent state fiscal
22 bienniums. Appropriations for the state fiscal biennium that began
23 September 1, 2007, are governed by Section 22, Article VIII, and
24 Section 49a, Article III, as they existed on January 1, 2007.

25 (c) In relation to appropriations made for the state fiscal
26 biennium beginning September 1, 2009, and subsequent state fiscal
27 bienniums, the changes made to Section 22, Article VIII, of this

1 constitution by the amendments invalidate conflicting or
2 inconsistent general laws of this state, including Sections 316.001
3 through 316.008, Government Code, as that law existed on January 1,
4 2007.

5 SECTION 4. This proposed constitutional amendment shall be
6 submitted to the voters at an election to be held November 6, 2007.
7 The ballot shall be printed to provide for voting for or against the
8 proposition: "The constitutional amendment regarding limitations
9 on the rate of growth of expenditures by the state government."