

By: Branch

H.J.R. No. 16

A JOINT RESOLUTION

1 proposing a constitutional amendment requiring any increase in a
2 franchise tax rate to be approved by three-fourths of all the
3 members elected to each house of the legislature.

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

5 SECTION 1. Article VIII, Texas Constitution, is amended by
6 adding Section 25 to read as follows:

7 Sec. 25. (a) A bill increasing any franchise tax rate above
8 the rate in effect on the date the bill was filed may take effect
9 only if passed by a record vote of three-fourths of all the members
10 elected to each house of the legislature on final consideration in
11 each house.

12 (b) This section does not apply to a bill that amends:

13 (1) the manner in which the franchise tax is computed;

14 (2) the manner in which the franchise tax is
15 administered or enforced; or

16 (3) the applicability of the franchise tax.

17 SECTION 2. This proposed constitutional amendment shall be
18 submitted to the voters at an election to be held November 3, 2009.
19 The ballot shall be printed to provide for voting for or against the
20 proposition: "The constitutional amendment requiring any increase
21 in a franchise tax rate to be approved by three-fourths of all the
22 members elected to each house of the legislature."