

By: Deshotel, Paxton, Phillips

H.J.R. No. 54

A JOINT RESOLUTION

1 proposing a constitutional amendment to limit the purposes for
2 which revenues from motor vehicle registration fees, taxes on motor
3 fuels and lubricants, and certain revenues received from the
4 federal government may be used.

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

6 SECTION 1. Sections 7-a and 7-b, Article VIII, Texas
7 Constitution, are amended to read as follows:

8 Sec. 7-a. Subject to legislative appropriation, allocation
9 and direction, all net revenues remaining after payment of all
10 refunds allowed by law and expenses of collection derived from
11 motor vehicle registration fees, and all taxes, except gross
12 production and ad valorem taxes, on motor fuels and lubricants used
13 to propel motor vehicles over public roadways, shall be used for the
14 sole purpose of acquiring rights-of-way and [7] constructing and
15 [7] maintaining[~~7 and policing~~] such public roadways[~~7 and for the~~
16 ~~administration of such laws as may be prescribed by the Legislature~~
17 ~~pertaining to the supervision of traffic and safety on such roads,~~
18 ~~and for the payment of the principal and interest on county and road~~
19 ~~district bonds or warrants voted or issued prior to January 2, 1939,~~
20 ~~and declared eligible prior to January 2, 1945, for payment out of~~
21 ~~the County and Road District Highway Fund under existing law];
22 provided, however, that one-fourth (1/4) of such net revenue from
23 the motor fuel tax shall be allocated to the Available School Fund;
24 and, provided, however, that the net revenue derived by counties~~

1 from motor vehicle registration fees shall never be less than the
2 maximum amounts allowed to be retained by each County and the
3 percentage allowed to be retained by each County under the laws in
4 effect on January 1, 1945. Nothing contained herein shall be
5 construed as authorizing the pledging of the State's credit for any
6 purpose.

7 Sec. 7-b. All revenues received from the federal government
8 as reimbursement for state expenditures of funds that are
9 themselves dedicated for acquiring rights-of-way and constructing
10 and~~[,] maintaining[, and policing]~~ public roadways are also
11 constitutionally dedicated and shall be used only for those
12 purposes.

13 SECTION 2. The following temporary provision is added to
14 the Texas Constitution:

15 TEMPORARY PROVISION. (a) This temporary provision applies
16 to the constitutional amendment proposed by the 81st Legislature,
17 Regular Session, 2009, to limit the purposes for which revenues
18 from motor vehicle registration fees, taxes on motor fuels and
19 lubricants, and certain revenues received from the federal
20 government may be used.

21 (b) The changes to Sections 7-a and 7-b, Article VIII, of
22 this constitution made by the amendment apply only in connection
23 with a state fiscal biennium that begins on or after September 1,
24 2011.

25 SECTION 3. This proposed constitutional amendment shall be
26 submitted to the voters at an election to be held November 3, 2009.
27 The ballot shall be printed to permit voting for or against the

1 proposition: "The constitutional amendment to limit the purposes
2 for which revenues from motor vehicle registration fees, taxes on
3 motor fuels and lubricants, and certain revenues received from the
4 federal government may be used."