

By: Paxton

H.J.R. No. 89

A JOINT RESOLUTION

1 proposing a constitutional amendment dedicating certain revenue
2 derived from motor fuel taxes to the construction of public
3 highways.

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

5 SECTION 1. Section 7-a, Article VIII, Texas Constitution,
6 is amended to read as follows:

7 Sec. 7-a. (a) Subject to legislative appropriation,
8 allocation and direction, all net revenues remaining after payment
9 of all refunds allowed by law and expenses of collection derived
10 from motor vehicle registration fees [~~, and all taxes, except gross~~
11 ~~production and ad valorem taxes, on motor fuels and lubricants used~~
12 ~~to propel motor vehicles over public roadways,~~] shall be used for
13 the sole purpose of acquiring rights-of-way, constructing,
14 maintaining, and policing [~~such~~] public roadways, and for the
15 administration of such laws as may be prescribed by the Legislature
16 pertaining to the supervision of traffic and safety on such roads;
17 [~~and for the payment of the principal and interest on county and~~
18 ~~road district bonds or warrants voted or issued prior to January 2,~~
19 ~~1939, and declared eligible prior to January 2, 1945, for payment~~
20 ~~out of the County and Road District Highway Fund under existing law,~~
21 ~~provided, however, that one-fourth (1/4) of such net revenue from~~
22 ~~the motor fuel tax shall be allocated to the Available School Fund,~~
23 ~~and,~~] provided, however, that the net revenue derived by counties
24 from motor vehicle registration fees shall never be less than the

1 maximum amounts allowed to be retained by each County and the
2 percentage allowed to be retained by each County under the laws in
3 effect on January 1, 1945.

4 (b) Subject to legislative appropriation, allocation, and
5 direction:

6 (1) three-fourths of the net revenue that is remaining
7 after payment of all refunds allowed by law and expenses of
8 collection and that is derived from all taxes, except gross
9 production and ad valorem taxes, on motor fuels and lubricants used
10 to propel motor vehicles over public highways shall be used for the
11 sole purpose of constructing public highways; and

12 (2) one-fourth of that net revenue shall be allocated
13 to the available school fund.

14 (c) Nothing contained in this section [~~herein~~] shall be
15 construed as authorizing the pledging of the State's credit for any
16 purpose.

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 permit voting for or against the
20 proposition: "The constitutional amendment dedicating
21 three-fourths of the revenue derived from motor fuel taxes to the
22 construction of public highways."