

By: Rodriguez

H.J.R. No. 122

A JOINT RESOLUTION

1 proposing a constitutional amendment allowing the expenditure of  
2 motor vehicle fuel taxes and registration fees for passenger rail,  
3 transit, and freight rail.

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. Subject to legislative appropriation, allocation  
8 and direction, all net revenues remaining after payment of all  
9 refunds allowed by law and expenses of collection derived from  
10 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 the  
13 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 purpose of constructing, maintaining, and operating  
18 passenger rail, transit, and freight rail; [~~and for the payment of~~  
19 ~~the principal and interest on county and road district bonds or~~  
20 ~~warrants voted or issued prior to January 2, 1939, and declared~~  
21 ~~eligible prior to January 2, 1945, for payment out of the County and~~  
22 ~~Road District Highway Fund under existing law,~~] provided, however,  
23 that one-fourth (1/4) of such net revenue from the motor fuel tax  
24 shall be allocated to the Available School Fund; and, provided,

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

7         SECTION 2. This proposed constitutional amendment shall be  
8 submitted to the voters at an election to be held November 3, 2009.  
9 The ballot shall be printed to permit voting for or against the  
10 proposition: "The constitutional amendment to allow the  
11 expenditure of motor vehicle fuel taxes and registration fees to  
12 construct, maintain, and operate passenger rail, transit, and  
13 freight rail."