

1-1 By: Ogden S.J.R. No. 18  
1-2 (In the Senate - Filed January 21, 2009; March 13, 2009,  
1-3 read first time and referred to Committee on Finance;  
1-4 April 2, 2009, reported adversely, with favorable Committee  
1-5 Substitute by the following vote: Yeas 14, Nays 0; April 2, 2009,  
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.J.R. No. 18 By: Ogden

1-8 SENATE JOINT RESOLUTION

1-9 proposing a constitutional amendment authorizing the legislature  
1-10 to permit the Texas Transportation Commission, subject to  
1-11 legislative review and approval, to designate the area adjacent to  
1-12 a state highway project as a transportation finance zone and  
1-13 dedicating the proceeds of the state sales and use taxes imposed in  
1-14 a transportation finance zone to the Texas Mobility Fund for  
1-15 certain purposes.

1-16 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-17 SECTION 1. Section 49-k, Article III, Texas Constitution,  
1-18 is amended by adding Subsection (e-1) and amending Subsection (g)  
1-19 to read as follows:

1-20 (e-1) The legislature by general law may authorize the  
1-21 commission to designate as a transportation finance zone an area  
1-22 defined by the general law that is adjacent to the right-of-way of  
1-23 an existing or proposed state highway, if in connection with  
1-24 construction, reconstruction, or expansion of the state highway,  
1-25 including design and right-of-way acquisition costs, the  
1-26 commission has issued and sold obligations or entered into credit  
1-27 agreements under Subsection (d) of this section or proposes to  
1-28 issue and sell obligations or enter into credit agreements under  
1-29 Subsection (d) of this section. The designation of an area as a  
1-30 transportation finance zone must be reviewed and approved by the  
1-31 legislature before the designation may take effect. In addition to  
1-32 other sources of revenue, there is dedicated to the fund the  
1-33 proceeds of a state tax that is established by general law and  
1-34 imposed on the sale of a taxable item in this state or on the  
1-35 storage, use, or other consumption in this state of a taxable item  
1-36 purchased from a retailer for storage, use, or other consumption in  
1-37 this state, if the sale or use is consummated within the boundaries  
1-38 of a transportation finance zone. All proceeds from the taxes to  
1-39 which this subsection applies that are collected within the  
1-40 boundaries of a transportation finance zone may be deposited to the  
1-41 credit of a separate account in the fund. Money collected within  
1-42 the boundaries of a transportation finance zone and deposited to  
1-43 the credit of the fund under this subsection may be used only for  
1-44 the purpose of paying the principal of and interest on obligations  
1-45 issued under Subsection (d) of this section or a related credit  
1-46 agreement entered into under that subsection in connection with the  
1-47 state highway that is located in that transportation finance zone.  
1-48 The legislature may limit the amount of money the comptroller may  
1-49 deposit to the credit of the fund in any state fiscal year under  
1-50 this subsection.

1-51 (g) In addition to the dedication of specified sources or  
1-52 amounts of revenue, taxes, or money as provided by Subsections  
1-53 [Subsection] (e) and (e-1) of this section, the legislature may by  
1-54 law authorize the commission to guarantee the payment of any  
1-55 obligations and credit agreements issued and executed by the  
1-56 commission under the authority of this section by pledging the full  
1-57 faith and credit of the state to that payment if dedicated revenue  
1-58 is insufficient for that purpose. If that authority is granted and  
1-59 is implemented by the commission, while any of the bonds, notes,  
1-60 other obligations, or credit agreements are outstanding and unpaid,  
1-61 and for any fiscal year during which the dedicated revenue, taxes,  
1-62 and money are insufficient to make all payments when due, there is  
1-63 appropriated, and there shall be deposited in the fund, out of the

2-1 first money coming into the state treasury in each fiscal year that  
2-2 is not otherwise appropriated by this constitution, an amount that  
2-3 is sufficient to pay the principal of the obligations and  
2-4 agreements and the interest on the obligations and agreements that  
2-5 become due during that fiscal year, minus any amount in the fund  
2-6 that is available for that payment in accordance with applicable  
2-7 law.

2-8 SECTION 2. This proposed constitutional amendment shall be  
2-9 submitted to the voters at an election to be held November 3, 2009.  
2-10 The ballot shall be printed to permit voting for or against the  
2-11 proposition: "The constitutional amendment authorizing the  
2-12 legislature to permit the Texas Transportation Commission, subject  
2-13 to legislative review and approval, to designate the area adjacent  
2-14 to a state highway project as a transportation finance zone and  
2-15 dedicating the proceeds of the state sales and use taxes imposed in  
2-16 a transportation finance zone to the Texas Mobility Fund for  
2-17 certain purposes."

2-18

\* \* \* \* \*