

By: Watson

S.J.R. No. 21

A JOINT RESOLUTION

1 proposing a constitutional amendment to ensure that this state  
2 receives the maximum federal funding available under the child  
3 health plan program.

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

5 SECTION 1. Section 51-a, Article III, Texas Constitution,  
6 is amended by adding Subsections (e), (f), (g), (g-1), (h), (h-1),  
7 and (i) to read as follows:

8 (e) Out of the first money coming into the treasury in each  
9 state fiscal year that is not otherwise appropriated by this  
10 constitution, the lesser of the following is appropriated for the  
11 administration and operation of the child health plan program  
12 authorized by federal law or a successor state-designed health plan  
13 program specifically for children that qualifies for federal  
14 matching money:

15 (1) the amount necessary to obtain the maximum federal  
16 allotment for this state or other available federal matching money  
17 under the program; or

18 (2) the amount necessary to establish an income  
19 eligibility limit for the program at a net family income, as that  
20 term is defined by the legislature, of 300 percent of the federal  
21 poverty level.

22 (f) Subsection (e) of this section and this subsection  
23 expire on the earlier of:

24 (1) the date both the child health plan program

1 authorized by federal law and any successor state-designed health  
2 plan program specifically for children that qualifies for federal  
3 matching money have terminated; or

4 (2) September 1, 2023.

5 (g) Notwithstanding the appropriation required by  
6 Subsection (e) of this section, out of the first money coming into  
7 the treasury in each of the state fiscal years beginning September  
8 1, 2011, and September 1, 2012, that is not otherwise appropriated  
9 by this constitution, the lesser of the following is appropriated  
10 for the administration and operation of the child health plan  
11 program authorized by federal law or a successor state-designed  
12 health plan program specifically for children that qualifies for  
13 federal matching money instead of the appropriation required by  
14 Subsection (e) of this section:

15 (1) the amount necessary to obtain the maximum federal  
16 allotment for this state or other available federal matching money  
17 under the program; or

18 (2) the amount necessary to establish an income  
19 eligibility limit for the program at a net family income, as that  
20 term is defined by the legislature, of 250 percent of the federal  
21 poverty level.

22 (g-1) Subsection (g) of this section and this subsection  
23 expire on the earlier of:

24 (1) the date both the child health plan program  
25 authorized by federal law and any successor state-designed health  
26 plan program specifically for children that qualifies for federal  
27 matching money have terminated; or

1           (2) September 1, 2013.

2           (h) Notwithstanding the appropriation required by  
3 Subsection (e) of this section, out of the first money coming into  
4 the treasury in the state fiscal year beginning September 1, 2010,  
5 that is not otherwise appropriated by this constitution, the lesser  
6 of the following is appropriated for the administration and  
7 operation of the child health plan program authorized by federal  
8 law or a successor state-designed health plan program specifically  
9 for children that qualifies for federal matching money instead of  
10 the appropriation required by Subsection (e) of this section:

11           (1) the amount necessary to obtain the maximum federal  
12 allotment for this state or other available federal matching money  
13 under the program; or

14           (2) the amount necessary to maintain an income  
15 eligibility limit for the program at a net family income, as that  
16 term is defined by the legislature, of 200 percent of the federal  
17 poverty level.

18           (h-1) Subsection (h) of this section and this subsection  
19 expire on the earlier of:

20           (1) the date both the child health plan program  
21 authorized by federal law and any successor state-designed health  
22 plan program specifically for children that qualifies for federal  
23 matching money have terminated; or

24           (2) September 1, 2011.

25           (i) Subsections (e), (f), (g), and (h) of this section do  
26 not affect the authority of the legislature to appropriate  
27 additional money for the administration and operation of the child

1 health plan program authorized by federal law or a successor  
2 state-designed health plan program specifically for children that  
3 qualifies for federal matching money.

4 SECTION 2. This proposed constitutional amendment shall be  
5 submitted to the voters at an election to be held November 3, 2009.  
6 The ballot shall be printed to provide for voting for or against the  
7 proposition: "The constitutional amendment to ensure that this  
8 state receives the maximum federal funding available under the  
9 child health plan program (CHIP)."