

By: Pickett

H.J.R. No. 64

A JOINT RESOLUTION

1 proposing a constitutional amendment limiting the uses of revenue  
2 from motor vehicle registration fees, taxes on motor fuels and  
3 lubricants, and certain revenue received from the federal  
4 government.

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

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

8 Sec. 7-a. (a) Subject to legislative appropriation,  
9 allocation and direction, all net revenues remaining after payment  
10 of all refunds allowed by law and expenses of collection derived  
11 from 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, constructing,  
15 maintaining, and policing such public roadways, 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~~  
19 ~~road district bonds or warrants voted or issued prior to January 2,~~  
20 ~~1939, and declared eligible prior to January 2, 1945, for payment~~  
21 ~~out of the County and Road District Highway Fund under existing~~  
22 ~~law,]~~ provided, however, that one-fourth (1/4) of such net revenue  
23 from the motor fuel tax shall be allocated to the Available School  
24 Fund; and, provided, however, that the net revenue derived by

1 counties from motor vehicle registration fees shall never be less  
2 than the maximum amounts allowed to be retained by each County and  
3 the percentage allowed to be retained by each County under the laws  
4 in 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 (b) For a biennium, the Legislature may not appropriate  
8 funds derived from the revenue described by Subsection (a) of this  
9 section or Section 7-b of this article for a purpose other than  
10 acquiring rights-of-way or constructing or maintaining public  
11 roadways in an amount that exceeds the lesser of:

12 (1) the total amount of those funds appropriated for a  
13 purpose other than acquiring rights-of-way or constructing or  
14 maintaining public roadways in the preceding biennium; or

15 (2) the amount determined under Subsection (c) of this  
16 section.

17 (c) For each biennium, the maximum amount that may be  
18 appropriated as provided by Subsection (b) of this section is  
19 reduced by 20 percent from the preceding biennium if the estimate of  
20 anticipated revenue from all sources made in advance of the regular  
21 session under Section 49a(a), Article III, of this constitution for  
22 the biennium exceeds the total amount of revenue from all sources  
23 for the preceding biennium by more than three times the amount of  
24 the reduction.

25 SECTION 2. This proposed constitutional amendment shall be  
26 submitted to the voters at an election to be held November 8, 2011.  
27 The ballot shall be printed to permit voting for or against the

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1 proposition: "The constitutional amendment limiting the uses of  
2 revenue from motor vehicle registration fees, taxes on motor fuels  
3 and lubricants, and certain revenue received from the federal  
4 government."