

By: Harper-Brown

H.J.R. No. 78

A JOINT RESOLUTION

1 proposing a constitutional amendment to limit the purposes for
2 which revenues from motor vehicle registration fees and taxes on
3 motor fuels and lubricants may be used.

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 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. Nothing contained herein shall be
4 construed as authorizing the pledging of the State's credit for any
5 purpose.

6 SECTION 2. The following temporary provision is added to
7 the Texas Constitution:

8 TEMPORARY PROVISION. (a) This temporary provision applies
9 to the constitutional amendment proposed by the 82nd Legislature,
10 Regular Session, 2011, to limit the purposes for which revenues
11 from motor vehicle registration fees and taxes on motor fuels and
12 lubricants may be used.

13 (b) The changes to Section 7-a, Article VIII, of this
14 constitution made by the amendment apply only in connection with a
15 state fiscal biennium that begins on or after September 1, 2013.

16 (c) This temporary provision expires September 2, 2013.

17 SECTION 3. This proposed constitutional amendment shall be
18 submitted to the voters at an election to be held November 8, 2011.
19 The ballot shall be printed to permit voting for or against the
20 proposition: "The constitutional amendment to limit the purposes
21 for which revenues from motor vehicle registration fees and taxes
22 on motor fuels and lubricants may be used."