

By: Rodriguez

H.J.R. No. 131

A JOINT RESOLUTION

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

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

6 SECTION 1. Sections 7-a and 7-b, Article VIII, Texas  
7 Constitution, are amended to read as follows:

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

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

8       Sec. 7-b. All revenues received from the federal government  
9 as reimbursement for state expenditures of funds that are  
10 themselves dedicated as provided by Section 7-a of this article  
11 [~~for acquiring rights-of-way and constructing, maintaining, and~~  
12 ~~policing public roadways~~] are also constitutionally dedicated and  
13 shall be used only for those purposes.

14       SECTION 2. This proposed constitutional amendment shall be  
15 submitted to the voters at an election to be held November 8, 2011.  
16 The ballot shall be printed to permit voting for or against the  
17 proposition:     "The constitutional amendment to allow the  
18 expenditure of motor vehicle fuel taxes, registration fees, and  
19 federal reimbursement for those revenues to construct, maintain,  
20 and operate passenger rail, transit, and freight rail."