

By: Ritter

H.J.R. No. 137

A JOINT RESOLUTION

1 proposing constitutional amendments relating to the funding of
2 certain water projects.

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

4 ARTICLE 1. FEES

5 SECTION 1.01. Article III, Texas Constitution, is amended
6 by adding Section 49-d-11 to read as follows:

7 Sec. 49-d-11. (a) If the legislature requires the Texas
8 Water Development Board to adopt a state water plan, the
9 legislature by general law shall provide for the imposition by the
10 state of one or more fees, the proceeds of which must be deposited
11 to the credit of a special fund in the state treasury to be known as
12 the state water implementation fund for Texas.

13 (b) Money deposited to the credit of the state water
14 implementation fund for Texas and interest earned on the investment
15 of money in that fund may be appropriated only to the Texas Water
16 Development Board and used only to fund projects included in the
17 state water plan.

18 SECTION 1.02. This proposed constitutional amendment shall
19 be submitted to the voters at an election to be held November 8,
20 2011. The ballot shall be printed to permit voting for or against
21 the proposition: "The constitutional amendment requiring the
22 legislature to provide for the imposition of one or more fees to
23 fund projects included in the state water plan."

ARTICLE 2. BONDING AUTHORITY

SECTION 2.01. Article III, Texas Constitution, is amended by adding Section 49-d-12 to read as follows:

Sec. 49-d-12. (a) In addition to the bonds authorized by the other provisions of this article, the Texas Water Development Board may issue general obligation bonds, at its determination and on a continuing basis, for one or more accounts of the Texas Water Development Fund II in amounts such that the aggregate principal amount of the bonds issued by the board under this section that are outstanding at any time does not exceed \$6 billion.

(b) Section 49-d-8 of this article applies to the bonds authorized by this section. The limitation in Section 49-d-8 of this article that the Texas Water Development Board may not issue bonds in excess of the aggregate principal amount of previously authorized bonds does not apply to the bonds authorized by and issued under this section.

(c) A limitation on the percentage of state participation in any single project imposed by this article does not apply to a project funded with the proceeds of bonds issued under the authority of this section or Section 49-d-8 of this article.

SECTION 2.02. The following temporary provision is added to the Texas Constitution:

TEMPORARY PROVISION. (a) This temporary provision applies to the constitutional amendment proposed by the 82nd Legislature, Regular Session, 2011, authorizing the issuance of additional general obligation bonds by the Texas Water Development Board in an amount not to exceed \$6 billion.

1 (b) That constitutional amendment takes effect only if the
2 constitutional amendment proposed by the 82nd Legislature, Regular
3 Session, 2011, requiring the legislature to provide for the
4 imposition of one or more fees to fund projects included in the
5 state water plan takes effect.

6 (c) This temporary provision expires January 1, 2013.

7 SECTION 2.03. This proposed constitutional amendment shall
8 be submitted to the voters at an election to be held November 8,
9 2011. The ballot shall be printed to permit voting for or against
10 the proposition: "The constitutional amendment authorizing the
11 issuance of additional general obligation bonds by the Texas Water
12 Development Board in an amount not to exceed \$6 billion."