

By: Larson

H.J.R. No. 149

A JOINT RESOLUTION

1 proposing a constitutional amendment to require the comptroller of
2 public accounts to make a state revenue report after the first year
3 of a state fiscal biennium and the governor to call a special
4 session of the legislature if actual state revenue for that fiscal
5 year was at least five percent less than projected revenue.

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

7 SECTION 1. Section 49a(a), Article III, Texas Constitution,
8 is amended to read as follows:

9 (a) It shall be the duty of the Comptroller of Public
10 Accounts in advance of each Regular Session of the Legislature to
11 prepare and submit to the Governor and to the Legislature upon its
12 convening a statement under oath showing fully the financial
13 condition of the State Treasury at the close of the last fiscal
14 period and an estimate of the probable receipts and disbursements
15 for the then current fiscal year. There shall also be contained in
16 said statement an itemized estimate of the anticipated revenue
17 based on the laws then in effect that will be received by and for the
18 State from all sources showing the fund accounts to be credited
19 during each fiscal year of the succeeding biennium and said
20 statement shall contain such other information as may be required
21 by law. Supplemental statements shall be submitted at any Special
22 Session of the Legislature, and at such other times as may be
23 necessary to show probable changes. Not later than September 10 of
24 each even-numbered year, the Comptroller shall prepare and submit

1 to the Governor and the Legislature a statement under oath showing
2 fully the condition of the State Treasury, including actual revenue
3 received by and for the State from all sources, during the first
4 year of the current fiscal biennium.

5 SECTION 2. Section 8, Article IV, Texas Constitution, is
6 amended by adding Subsection (c) to read as follows:

7 (c) The governor shall immediately convene the legislature
8 in special session if, according to the comptroller's statement
9 prepared immediately after the end of the first year of the current
10 fiscal biennium under Section 49a, Article III, of this
11 constitution, actual revenue received by and for the state from all
12 sources during that year was at least five percent less than the
13 revenue that was anticipated by the comptroller to be received for
14 that fiscal year according to the last statement submitted to the
15 governor and legislature before the beginning of that fiscal year
16 under Section 49a, Article III. The legislature may consider any
17 state fiscal matter, including appropriations or taxation, at that
18 special session.

19 SECTION 3. This proposed constitutional amendment shall be
20 submitted to the voters at an election to be held November 8, 2011.
21 The ballot shall be printed to provide for voting for or against the
22 proposition: "The constitutional amendment requiring the
23 comptroller of public accounts to make state revenue projections
24 after the first fiscal year of a state biennium and the governor to
25 call a special session of the legislature if actual revenue for that
26 fiscal year was at least five percent less than projected revenue."