

By: Howard

H.B. No. 31

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to consideration of appropriations from the economic  
3 stabilization fund in determining the constitutional biennial  
4 appropriations limit.

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

6 SECTION 1. Section 316.002, Government Code, is amended by  
7 adding Subsections (f), (g), and (h) to read as follows:

8 (f) Appropriations of state tax revenues from the economic  
9 stabilization fund are appropriations of state tax revenues  
10 dedicated by the constitution for the purposes of:

11 (1) Subsections (a)(2) and (3); and

12 (2) Subsection (e).

13 (g) Notwithstanding any other provision of this subchapter,  
14 and notwithstanding the clarification of the law made by the  
15 enactment of Subsection (f):

16 (1) the limit on the amount of state tax revenues not  
17 dedicated by the constitution that could be appropriated for the  
18 state fiscal biennium ending August 31, 2013, or for the state  
19 fiscal biennium ending August 31, 2015, respectively, is the same  
20 amount as the limit adopted for that biennium under Section 316.005  
21 irrespective of the inclusion of appropriations from the economic  
22 stabilization fund in calculations made to determine that amount;  
23 and

24 (2) an appropriation from the economic stabilization

1 fund for the state fiscal biennium ending August 31, 2013, or for  
2 the state fiscal biennium ending August 31, 2015, respectively, may  
3 not be considered in determining whether appropriations from state  
4 tax revenues not dedicated by the constitution for that state  
5 fiscal biennium exceed the limit adopted under Section 316.005 for  
6 that biennium.

7 (h) This subsection and Subsection (g) expire September 1,  
8 2017.

9 SECTION 2. This Act takes effect immediately if it receives  
10 a vote of two-thirds of all the members elected to each house, as  
11 provided by Section 39, Article III, Texas Constitution. If this  
12 Act does not receive the vote necessary for immediate effect, this  
13 Act takes effect on the 91st day after the last day of the  
14 legislative session.