

By: Davis, Ellis

S.J.R. No. 9

1 SENATE JOINT RESOLUTION

2 proposing a constitutional amendment to provide for the transfer of
3 certain general revenue to the state highway fund, the foundation
4 school fund, and the economic stabilization fund and to authorize
5 the payment from the state highway fund of the principal and
6 interest on certain highway improvement bonds.

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

8 SECTION 1. Subsections (c), (d), and (e), Section 49-g,
9 Article III, Texas Constitution, are amended to read as follows:

10 (c) Not later than the 90th day of each fiscal year, the
11 comptroller of public accounts shall transfer from general revenue
12 to the economic stabilization fund, the state highway fund, and the
13 foundation school fund the amounts prescribed by Subsections (d)
14 and (e) of this section. However, if necessary, the comptroller
15 shall reduce proportionately the amounts transferred to the
16 economic stabilization fund to prevent the amount in the fund from
17 exceeding the limit in effect for that biennium under Subsection
18 (g) of this section.

19 (d) If in the preceding year the state received from oil
20 production taxes a net amount greater than the net amount of oil
21 production taxes received by the state in the fiscal year ending
22 August 31, 1987, the comptroller shall retain [~~transfer to the~~
23 ~~economic stabilization fund~~] an amount equal to 25 [75] percent of
24 the difference between those amounts as general revenue to be

1 appropriated to the foundation school fund. Of the remaining 75
2 percent of the difference between those amounts, the [~~.—The~~]
3 comptroller shall transfer an amount equal to one-half to the
4 economic stabilization fund, transfer an amount equal to
5 three-tenths to the state highway fund, and transfer an amount
6 equal to two-tenths to the foundation school fund to be applied to
7 the instructional facilities allotment and the existing debt
8 allotment [~~retain the remaining 25 percent of the difference as~~
9 ~~general revenue~~]. In computing the net amount of oil production
10 taxes received, the comptroller may not consider refunds paid as a
11 result of oil overcharge litigation.

12 (e) If in the preceding year the state received from gas
13 production taxes a net amount greater than the net amount of gas
14 production taxes received by the state in the fiscal year ending
15 August 31, 1987, the comptroller shall retain [~~transfer to the~~
16 ~~economic stabilization fund~~] an amount equal to 25 [~~75~~] percent of
17 the difference between those amounts as general revenue to be
18 appropriated to the foundation school fund. Of the remaining 75
19 percent of the difference between those amounts, the [~~.—The~~]
20 comptroller shall transfer an amount equal to one-half to the
21 economic stabilization fund, transfer an amount equal to
22 three-tenths to the state highway fund, and transfer an amount
23 equal to two-tenths to the foundation school fund to be applied to
24 the instructional facilities allotment and the existing debt
25 allotment [~~retain the remaining 25 percent of the difference as~~
26 ~~general revenue~~]. For the purposes of this subsection, the
27 comptroller shall adjust the [~~his~~] computation of revenues to

1 reflect only 12 months of collection.

2 SECTION 2. Section 49-p, Article III, Texas Constitution,
3 is amended by adding Subsection (e) to read as follows:

4 (e) Money deposited to the credit of the state highway fund
5 may be appropriated to repay the principal and interest on bonds
6 issued under this section.

7 SECTION 3. The following temporary provision is added to
8 the Texas Constitution:

9 TEMPORARY PROVISION. (a) This temporary provision applies
10 to the constitutional amendment proposed by the 83rd Legislature,
11 1st Called Session, 2013, to provide for the transfer of certain
12 general revenue to the state highway fund, the foundation school
13 fund for the benefit of school facilities, and the economic
14 stabilization fund and to authorize the payment from the state
15 highway fund of the principal and interest on certain highway
16 improvement bonds.

17 (b) The amendment to Section 49-g, Article III, of this
18 constitution takes effect January 1, 2014, and applies only to a
19 transfer of revenue made by the comptroller of public accounts as
20 provided by Subsection (d) or (e) of that section on or after
21 January 1, 2014.

22 (c) This temporary provision expires January 1, 2015.

23 SECTION 4. This proposed constitutional amendment shall be
24 submitted to the voters at an election to be held November 5, 2013.
25 The ballot shall be printed to permit voting for or against the
26 proposition: "The constitutional amendment to provide for the
27 transfer of certain general revenue to the state highway fund, the

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1 foundation school fund for the benefit of school facilities, and
2 the economic stabilization fund and to authorize the payment from
3 the state highway fund of the principal and interest on certain
4 highway improvement bonds."