

Amend HJR 2 by striking all below the resolving clause and substituting the following:

SECTION 1. Section 49-g, Article III, Texas Constitution, is amended by amending Subsections (c), (d), and (e) and adding Subsections (c-1) and (c-2) to read as follows:

(c) Not later than the 90th day of each fiscal year, the comptroller of public accounts shall transfer from the general revenue fund to the economic stabilization fund and the state highway fund the sum of the amounts described [~~prescribed~~] by Subsections (d) and (e) of this section, to be allocated as provided by Subsections (c-1) and (c-2) of this section. However, if necessary and notwithstanding the allocations prescribed by Subsections (c-1) and (c-2) of this section, the comptroller shall reduce proportionately the amounts described by Subsections (d) and (e) of this section to be transferred and allocated to the economic stabilization fund to prevent the amount in that [~~the~~] fund from exceeding the limit in effect for that biennium under Subsection (g) of this section. Revenue transferred to the state highway fund under this subsection may be used only for constructing, maintaining, and acquiring rights-of-way for public roadways other than toll roads.

(c-1) Of the sum of the amounts described by Subsections (d) and (e) of this section and required to be transferred from the general revenue fund under Subsection (c) of this section, the comptroller shall allocate one-half to the economic stabilization fund and the remainder to the state highway fund, except as provided by Subsection (c-2) of this section.

(c-2) If the anticipated balance of the economic stabilization fund after any transfer that may be made under Subsection (b) of this section and any transfer and allocation of money that may be made as provided by Subsections (c) and (c-1) of this section would be less than \$6 billion, the comptroller shall reduce the amount that would otherwise be allocated to the state highway fund as provided by Subsection (c-1) of this section by the lesser of the total amount of the allocation to that fund or the amount necessary for the anticipated balance of the economic stabilization fund, after any transfer that may be made under

Subsection (b) of this section and the transfer and allocation to be made as provided by Subsections (c) and (c-1) of this section, to equal \$6 billion. The comptroller shall allocate to the economic stabilization fund the amount by which the allocation to the state highway fund is reduced under this subsection.

(d) If in the preceding year the state received from oil production taxes a net amount greater than the net amount of oil production taxes received by the state in the fiscal year ending August 31, 1987, the comptroller shall transfer under Subsection (c) of this section and allocate in accordance with Subsections (c-1) and (c-2) of this section ~~[to the economic stabilization fund]~~ an amount equal to 75 percent of the difference between those amounts. The comptroller shall retain the remaining 25 percent of the difference as general revenue. In computing the net amount of oil production taxes received, the comptroller may not consider refunds paid as a result of oil overcharge litigation.

(e) If in the preceding year the state received from gas production taxes a net amount greater than the net amount of gas production taxes received by the state in the fiscal year ending August 31, 1987, the comptroller shall transfer under Subsection (c) of this section and allocate in accordance with Subsections (c-1) and (c-2) of this section ~~[to the economic stabilization fund]~~ an amount equal to 75 percent of the difference between those amounts. The comptroller shall retain the remaining 25 percent of the difference as general revenue. For the purposes of this subsection, the comptroller shall adjust the ~~[his]~~ computation of revenues to reflect only 12 months of collection.

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

(e) Revenue transferred to the state highway fund under Section 49-g(c) of this article may be appropriated to pay the principal of and interest on bonds issued under this section.

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

TEMPORARY PROVISION. (a) This temporary provision applies to the constitutional amendment proposed by the 83rd Legislature, 2nd Called Session, 2013, to provide for the transfer of certain

general revenue to the economic stabilization fund, to provide for the transfer of certain general revenue to the state highway fund and the dedication of that revenue, and to authorize the payment of the principal and interest on certain highway improvement bonds from certain general revenue transferred to the state highway fund.

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

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

SECTION 4. This proposed constitutional amendment shall be submitted to the voters at an election to be held November 5, 2013. The ballot shall be printed to permit voting for or against the proposition: "The constitutional amendment providing for the use and dedication of certain money deposited or transferred to the state highway fund to assist in the completion of transportation construction, maintenance, and rehabilitation projects other than toll roads."