

By: Harper-Brown

H.J.R. No. 7

A JOINT RESOLUTION

1 proposing a constitutional amendment providing for the transfer of
2 certain state revenue to the Texas Mobility Fund.

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

4 SECTION 1. Sections 49-g(c), (d), and (e), Article III,
5 Texas Constitution, are amended to read as follows:

6 (c) Not later than the 90th day of each fiscal year, the
7 comptroller of public accounts shall transfer from general revenue
8 to the economic stabilization fund and the Texas Mobility Fund the
9 amounts prescribed by Subsections (d) and (e) of this section.
10 However, if necessary, the comptroller shall reduce
11 proportionately:

12 (1) the amounts transferred to the economic
13 stabilization fund to prevent the amount in the fund from exceeding
14 the limit in effect for that biennium under Subsection (g) of this
15 section; and

16 (2) the amounts transferred to the Texas Mobility Fund
17 to prevent an amount that exceeds \$600 million from being
18 transferred to that fund in a state fiscal year.

19 (d) Subject to the limitations prescribed by Subsection (c)
20 of this section, if [~~if~~] in the preceding year the state received
21 from oil production taxes a net amount greater than the net amount
22 of oil production taxes received by the state in the fiscal year
23 ending August 31, 1987, the comptroller shall transfer to the
24 economic stabilization fund an amount equal to 50 [~~75~~] percent of

the difference between those amounts and shall transfer to the Texas Mobility Fund an amount equal to 25 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) Subject to the limitations prescribed by Subsection (c) of this section, if [~~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 to the economic stabilization fund an amount equal to 50 [~~75~~] percent of the difference between those amounts and shall transfer to the Texas Mobility Fund an amount equal to 25 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 comptroller's [~~his~~] computation of revenues to reflect only 12 months of collection.

SECTION 2. 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, providing for the transfer of certain state revenue to the Texas Mobility Fund.

(b) The amendment to Sections 49-g(c), (d), and (e), Article III, of this constitution takes effect January 1, 2014, and applies

1 to a state fiscal year beginning on or after September 1, 2014.

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

3 SECTION 3. This proposed constitutional amendment shall be
4 submitted to the voters at an election to be held November 5, 2013.
5 The ballot shall be printed to permit voting for or against the
6 proposition: "The constitutional amendment providing for the
7 transfer of certain state revenue to the Texas Mobility Fund."