

By: Larson

H.J.R. No. 41

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 more or five percent less than
6 projected state revenue.

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

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

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

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

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

8 (c) The Governor shall immediately convene the Legislature
9 in special session if, according to the comptroller's statement
10 prepared immediately after the end of the first year of the current
11 fiscal biennium under Section 49a, Article III, of this
12 constitution, actual revenue received by and for the state from all
13 sources during that year was at least five percent more or five
14 percent less than the revenue that was anticipated by the
15 comptroller to be received for that fiscal year according to the
16 last statement submitted to the Governor and Legislature before the
17 beginning of that fiscal year under Section 49a, Article III. The
18 Legislature may consider any state fiscal matter, including
19 appropriations or taxation, at that special session, and any other
20 matter designated by proclamation of the Governor. A special
21 session convened under this subsection may not last longer than 14
22 days.

23 SECTION 3. 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 provide for voting for or against the
26 proposition: "The constitutional amendment requiring the
27 comptroller of public accounts to make state revenue projections

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1 after the first fiscal year of a state biennium and the governor to
2 call a special session of the legislature if actual state revenue
3 for that fiscal year was at least five percent more or five percent
4 less than projected state revenue."