

By: Perry

H.J.R. No. 49

A JOINT RESOLUTION

1 proposing a constitutional amendment regarding the maximum amount  
2 of appropriations for a state fiscal biennium.

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

4 SECTION 1. Section 22, Article VIII, Texas Constitution, is  
5 amended to read as follows:

6 Sec. 22. (a) The amount [~~In no biennium shall the rate of~~  
7 ~~growth~~] of appropriations from the state treasury for a fiscal  
8 biennium may not [~~tax revenues not dedicated by this constitution~~]  
9 exceed the maximum amount determined in accordance with Subsection  
10 (c) of this section and general law [~~estimated rate of growth of the~~  
11 ~~state's economy~~].

12 (b) The maximum rate of growth of appropriations from the  
13 state treasury for a fiscal biennium, as compared to the preceding  
14 fiscal biennium, is the lesser of:

15 (1) a rate equal to the sum of:

16 (A) the estimated rate of growth of this state's  
17 population; and

18 (B) the estimated rate of monetary inflation in  
19 this state; or

20 (2) the estimated rate of growth of personal income of  
21 this state's residents.

22 (c) The amount of permissible appropriations may not exceed  
23 an amount determined by multiplying the amount of appropriations  
24 for the then-current fiscal biennium by the sum of one plus the

1 maximum rate of growth determined under Subsection (b) of this  
2 section.

3 (d) The legislature shall provide by general law procedures  
4 to implement this section [~~subsection~~].

5 (e) [~~(b)~~] If the legislature, by adoption on a record vote  
6 of a resolution approved by two-thirds [~~a record vote of a majority~~]  
7 of the members of each house, finds that an emergency exists and  
8 identifies the nature of the emergency, the legislature may provide  
9 for appropriations in excess of the maximum permissible amount of  
10 appropriations authorized under [~~by~~] Subsection (c) [~~(a)~~] of this  
11 section. The total of the excess appropriations authorized by  
12 resolutions approved under this subsection may not exceed the total  
13 of the amounts [~~amount~~] specified in those resolutions [~~the~~  
14 ~~resolution~~].

15 (f) [~~(c)~~] In no case shall appropriations exceed revenues  
16 as provided in Article III, Section 49a, of this constitution.  
17 Nothing in this section shall be construed to alter, amend, or  
18 repeal Article III, Section 49a, of this constitution.

19 SECTION 2. Section 49a, Article III, Texas Constitution, is  
20 amended by adding Subsections (c) and (d) to read as follows:

21 (c) A bill containing an appropriation may not be considered  
22 as passed and may not be sent to the Governor for consideration  
23 until the Comptroller of Public Accounts endorses on the bill the  
24 Comptroller's certificate showing that the amount appropriated  
25 does not exceed the maximum amount of permissible appropriations  
26 for that fiscal biennium authorized under Section 22, Article VIII,  
27 of this constitution.

1       (d) When the Comptroller of Public Accounts finds that a  
2 bill containing an appropriation exceeds the maximum amount of  
3 permissible appropriations for that fiscal biennium authorized  
4 under Section 22, Article VIII, of this constitution, the  
5 Comptroller shall:

6               (1) endorse on the bill that finding;

7               (2) return the bill to the House in which it  
8 originated; and

9               (3) notify immediately the House of Representatives  
10 and the Senate of the finding.

11       SECTION 3. (a) This proposed constitutional amendment  
12 shall be submitted to the voters at an election to be held November  
13 5, 2013.

14       (b) The ballot shall be printed to permit voting for or  
15 against the proposition: "The constitutional amendment regarding  
16 the maximum amount of appropriations for a state fiscal biennium."