

By: Howard

H.J.R. No. 67

A JOINT RESOLUTION

proposing a constitutional amendment providing for legislative budget sessions in even-numbered years.

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

SECTION 1. Section 5(a), Article III, Texas Constitution, is amended to read as follows:

(a) The Legislature shall meet every odd-numbered year in regular session and every even-numbered year in budget session [~~two years~~] at such times [~~time~~] as may be provided by law. The Legislature also shall meet [~~and~~] at other times when convened by the Governor.

SECTION 2. Article III, Texas Constitution, is amended by adding Section 40a to read as follows:

Sec. 40a. (a) A budget session of the legislature may not exceed 30 days in duration. When convened in budget session, a house of the legislature may not consider a bill or proposed constitutional amendment on a matter other than appropriations, transfers of state money among funds and accounts, or state revenue.

(b) Except as otherwise provided by this constitution, a budget session is treated in the same manner as a special session of the legislature for purposes of this constitution.

(c) Unless otherwise provided by general law, a budget session shall be convened at noon on the third Tuesday in April.

SECTION 3. Section 49(c), Article III, Texas Constitution,

1 is amended to read as follows:

2 (c) The legislature may call an election during any regular
3 session or budget session of the legislature or during any special
4 session of the legislature in which the subject of the election is
5 designated in the governor's proclamation for that special session.
6 The election may be held on any date, and notice of the election
7 shall be given for the period and in the manner required for
8 amending this constitution. The election shall be held in each
9 county in the manner provided by law for other statewide elections.

10 SECTION 4. Subsection (a), Section 49a, Article III, Texas
11 Constitution, is amended to read as follows:

12 (a) It shall be the duty of the Comptroller of Public
13 Accounts in advance of each Regular Session and Budget Session of
14 the Legislature to prepare and submit to the Governor and to the
15 Legislature upon its convening a statement under oath showing fully
16 the financial condition of the State Treasury at the close of the
17 last fiscal period and an estimate of the probable receipts and
18 disbursements for the then current fiscal year. There shall also be
19 contained in said statement an itemized estimate of the anticipated
20 revenue based on the laws then in effect that will be received by
21 and for the State from all sources showing the fund accounts to be
22 credited during each fiscal year of the succeeding biennium and
23 said statement shall contain such other information as may be
24 required by law. Supplemental statements shall be submitted at any
25 Special Session of the Legislature and at such other times as may be
26 necessary to show probable changes.

27 SECTION 5. Section 49-g(k), Article III, Texas

1 Constitution, is amended to read as follows:

2 (k) Amounts from the economic stabilization fund may be
3 appropriated during a regular legislative session only for a
4 purpose for which an appropriation from general revenue was made by
5 the preceding legislature and may be appropriated in a budget or
6 special session only for a purpose for which an appropriation from
7 general revenue was made in a preceding legislative session of the
8 same legislature. An appropriation from the economic stabilization
9 fund may be made under this subsection only if the comptroller
10 certifies that appropriations from general revenue made by the
11 preceding legislature for the current biennium exceed available
12 general revenues and cash balances for the remainder of that
13 biennium. The amount of the ~~[an]~~ appropriation ~~[from the economic~~
14 ~~stabilization fund]~~ may not exceed the difference between the
15 comptroller's estimate of general revenue for the current biennium
16 at the time the comptroller receives for certification the bill
17 making the appropriation and the amount of general revenue
18 appropriations for that biennium previously certified by the
19 comptroller. Appropriations from the economic stabilization fund
20 under this subsection may not extend beyond the last day of the
21 current biennium. An appropriation from the economic stabilization
22 fund under this subsection must be approved by a three-fifths vote
23 of the members present in each house of the legislature.

24 SECTION 6. The following temporary provision is added to
25 the Texas Constitution:

26 TEMPORARY PROVISION. (a) The constitutional amendment
27 proposed by the 83rd Legislature, Regular Session, 2013, providing

1 for legislative budget sessions in even-numbered years takes effect
2 January 1, 2014.

3 (b) This temporary provision expires February 1, 2014.

4 SECTION 7. This proposed constitutional amendment shall be
5 submitted to the voters at an election to be held November 5, 2013.
6 The ballot shall be printed to permit voting for or against the
7 proposition: "The constitutional amendment providing for
8 legislative budget sessions in even-numbered years."