

By: Williams

S.J.R. No. 38

A JOINT RESOLUTION

1 proposing a constitutional amendment providing for the creation of  
2 the state infrastructure fund and board to provide financial  
3 assistance for certain projects related to economic development  
4 infrastructure and for the transfer to the fund of money from the  
5 economic stabilization fund; making an appropriation.

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

7 SECTION 1. Article XVI, Texas Constitution, is amended by  
8 adding Section 74 to read as follows:

9 Sec. 74. (a) In this section:

10 (1) "Board" means the State Infrastructure Board.

11 (2) "Economic development infrastructure" includes  
12 transportation infrastructure and port infrastructure.

13 (3) "Fund" means the state infrastructure fund.

14 (4) "Political subdivision" means:

15 (A) a county;

16 (B) a municipality; or

17 (C) another governmental unit that has the  
18 authority to build roads or operate and develop ports, including a  
19 district created under Section 52, Article III, or Section 59,  
20 Article XVI, of this constitution.

21 (5) "State agency" includes an institution of higher  
22 education, as defined by Section 61.003, Education Code.

23 (6) "Transportation institute" means a transportation  
24 research facility within The Texas A&M University System.

1       (b) The State Infrastructure Board consists of three  
2 members appointed by the governor with:

3           (1) one member knowledgeable of or experienced in  
4 transportation planning;

5           (2) one member knowledgeable of or experienced in port  
6 issues; and

7           (3) one member knowledgeable of or experienced in  
8 urban planning and economic development.

9       (c) Members of the board serve staggered terms of six years,  
10 with the term of one member expiring February 1 of each odd-numbered  
11 year. The governor shall designate a member of the board to serve as  
12 the presiding officer.

13       (d) A member of the board serves without compensation but is  
14 entitled to reimbursement for expenses as provided by the General  
15 Appropriations Act.

16       (e) The state infrastructure fund is a special revolving  
17 fund in the state treasury. The fund consists of:

18           (1) money the legislature appropriates to the fund;

19           (2) donations made to the fund;

20           (3) loan repayments received by the board from loans  
21 made under this section; and

22           (4) interest earned on the balance of the fund.

23       (f) The board may use money in the fund only to provide:

24           (1) loans to political subdivisions for projects  
25 related to economic development infrastructure; or

26           (2) credit enhancement to political subdivisions and  
27 other governmental entities that operate or maintain mass transit

1 or toll projects for projects related to economic development  
2 infrastructure.

3 (g) State agencies shall provide assistance and advice to  
4 the board in prioritizing infrastructure projects for the provision  
5 of loans under this section.

6 (h) The transportation institute shall submit  
7 recommendations to the board regarding the use of money in the fund  
8 for use by the board in adopting rules under Subsection (i) of this  
9 section.

10 (i) The board shall adopt rules providing for the use of  
11 money in the fund consistent with this section, including rules:

12 (1) establishing standards for the eligibility of  
13 political subdivisions and other entities to receive loans or  
14 credit enhancement for projects related to economic development  
15 infrastructure under Subsection (f) of this section; and

16 (2) specifying the manner for prioritizing projects  
17 for lending or credit enhancement under Subsection (f) of this  
18 section.

19 (j) The board shall give appropriate consideration to the  
20 recommendations of the transportation institute before adopting  
21 rules under Subsection (i) of this section.

22 (k) Except as provided by Subsection (f)(2) of this section,  
23 money in the fund may not be used for transportation infrastructure  
24 projects that involve mass transit or toll projects.

25 (l) The amount of \$3 billion is transferred from the  
26 economic stabilization fund to the credit of the fund, and that  
27 amount is appropriated to the board for the purposes of the state

1 infrastructure fund for the state fiscal biennium beginning  
2 September 1, 2013. This subsection expires August 31, 2015.

3 SECTION 2. The following temporary provision is added to  
4 the Texas Constitution:

5 TEMPORARY PROVISION. (a) This temporary provision applies  
6 to the constitutional amendment proposed by the 83rd Legislature,  
7 Regular Session, 2013, providing for the creation of the state  
8 infrastructure fund and board to provide financial assistance for  
9 certain projects related to economic development infrastructure  
10 and for the transfer to the state infrastructure fund of money from  
11 the economic stabilization fund.

12 (b) Section 74, Article XVI, of this constitution takes  
13 effect January 1, 2014.

14 (c) Promptly after January 1, 2014, the governor shall  
15 appoint the initial members of the State Infrastructure Board in  
16 accordance with Section 74, Article XVI, of this constitution. Of  
17 those members, the governor shall designate one to serve a term  
18 expiring February 1, 2019, one to serve a term expiring February 1,  
19 2017, and one to serve a term expiring February 1, 2015.

20 (d) This temporary provision expires January 1, 2015.

21 SECTION 3. This proposed constitutional amendment shall be  
22 submitted to the voters at an election to be held November 5, 2013.  
23 The ballot shall be printed to permit voting for or against the  
24 proposition: "The constitutional amendment providing for the  
25 creation of the state infrastructure fund and board to provide  
26 financial assistance for certain projects related to economic  
27 development infrastructure and for the transfer to the fund of

1 money from the economic stabilization fund."