

By: Williams, et al.

S.J.R. No. 55

SENATE JOINT RESOLUTION

proposing a constitutional amendment appropriating money from the system benefit fund for the purpose of returning system benefit fund fees to retail electric customers.

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

SECTION 1. Article VIII, Texas Constitution, is amended by adding Section 30 to read as follows:

Sec. 30. (a) On November 10, 2013, 90 percent of the unobligated and otherwise unappropriated balance of the system benefit fund account in the general revenue fund is appropriated to the comptroller for the purpose of returning the appropriated money to retail electric customers in the manner provided by general law. The appropriation made by this subsection is not considered an appropriation of state tax revenues for purposes of Section 22 of this article.

(b) On the date specified by Subsection (a) of this section, the comptroller shall transfer the amount appropriated by that subsection from the system benefit fund account in the general revenue fund into a special fund in the state treasury outside of the general revenue fund. The comptroller shall retain the balance in that special fund and without further appropriation shall disburse the money to retail electric customers as directed under general law. The comptroller shall credit to the special fund all interest or other earnings on the balance of the special fund.

1 (c) Money authorized to be spent out of the system benefit
2 fund account by an appropriation that is made by law before November
3 10, 2013, may be spent as provided by general law and in accordance
4 with that appropriation.

5 (d) The legislature by general law shall provide for the
6 Public Utility Commission of Texas to direct the comptroller to
7 disburse the money appropriated by Subsection (a) of this section
8 to retail electric customers beginning as soon as practicable, with
9 the entire balance of the appropriated money disbursed before
10 September 1, 2014.

11 (e) This section expires January 1, 2016.

12 SECTION 2. This proposed constitutional amendment shall be
13 submitted to the voters at an election to be held November 5, 2013.
14 The ballot shall be printed to provide for voting for or against the
15 proposition: "The constitutional amendment appropriating the
16 system benefit fund for the purpose of returning system benefit
17 fund fees to retail electric customers as provided by the Texas
18 Legislature."