

By: Williams

S.J.R. No. 55

A JOINT RESOLUTION

1 proposing a constitutional amendment appropriating the system
2 benefit fund for the purpose of returning system benefit fund fees
3 to retail electric customers.

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

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

7 Sec. 30. (a) On January 1, 2014, the unobligated and
8 otherwise unappropriated balance of the system benefit fund account
9 in the general revenue fund is appropriated to the comptroller for
10 the purpose of returning the appropriated money to retail electric
11 customers in the manner provided by general law. The appropriation
12 made by this subsection is not considered an appropriation of state
13 tax revenues for purposes of Section 22 of this article.

14 (b) On the date specified by Subsection (a) of this section,
15 the comptroller shall transfer the unobligated and otherwise
16 unappropriated balance of the system benefit fund account from the
17 general revenue fund into a special fund outside of the general
18 revenue fund. The comptroller shall retain the balance in that
19 special fund and without further appropriation shall disburse the
20 money to retail electric customers as directed under general law.
21 The comptroller shall credit to the special fund all interest or
22 other earnings on the balance of the special fund.

23 (c) Money authorized to be spent out of the system benefit
24 fund account by an appropriation that is made by law before January

1 1, 2014, may be spent as provided by general law and in accordance
2 with that appropriation. The comptroller shall transfer to the
3 special fund described by Subsection (b) of this section the
4 unexpended and unobligated balance of the appropriated money that
5 remains at the time the appropriation expires and without further
6 appropriation shall disburse the money to retail electric customers
7 as directed under general law.

8 (d) The legislature by general law shall provide for the
9 Public Utility Commission of Texas to direct the comptroller to
10 disburse the money appropriated by Subsection (a) of this section
11 to retail electric customers beginning not earlier than September
12 1, 2015, with the entire balance of the money disbursed before
13 January 1, 2019.

14 (e) This section expires January 1, 2021.

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