

BILL ANALYSIS

Senate Research Center
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S.J.R. 62
By: Nichols
Transportation
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The State Highway Fund is the primary account from which the Texas Department of Transportation pays for improvements to the state highway system. The two largest sources of revenue are the state's motor fuels tax and federal funds. However, other transportation-related revenue sources are re-appropriated from the State Highway Fund for non-highway-related expenditures.

S.J.R. 62 enhances transparency in state budgeting by constitutionally dedicating the following transportation-related revenue sources to be used only for the acquisition of right-of-way and the construction and maintenance of public, non-tolled roads. These revenue sources include:

- overweight / oversize permit fees;
- toll revenue in excess of the amount pledged for debt obligations and maintenance;
- payments received under a comprehensive development agreement;
- sales or transfers of highway right-of-way or real property; and
- the sale of surplus vehicles.

If approved by the legislature, the proposed constitutional amendment would be considered by voters on November 3, 2015.

S.J.R. 62 proposes a constitutional amendment dedicating certain revenue sources to be used for the acquisition of rights-of-way for and the construction and maintenance of public roadways.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Article VIII, Texas Constitution, by adding Section 7-c, as follows:

Sec. 7-c. Requires that all net revenues remaining after payment of all refunds allowed by law and expenses of collection derived from the following sources, subject to legislative appropriation, allocation, and direction, be used only for the acquisition of rights-of-way for and the construction and maintenance of public roadways other than toll roads:

- (1) fees for permits that authorize a motor vehicle or combination of motor vehicles that exceed the weight or size limits allowed by this state to operate on a highway in this state;
- (2) tolls collected or received in excess of the amount pledged for debt obligations from a toll project or system that is part of the state highway system;
- (3) payments received under a comprehensive development agreement for a toll project or system;

(4) the sale or transfer of any interest in a highway right-of-way or real property acquired for a state highway purpose that is no longer needed for a state highway purpose; and

(5) the sale of surplus motor vehicles by state agencies.

SECTION 2. Requires that the proposed constitutional amendment be submitted to the voters at an election to be held November 3, 2015. Sets forth the required language of the ballot.