

By: Harless

H.J.R. No. 24

A JOINT RESOLUTION

1 proposing a constitutional amendment dedicating revenue derived
2 from the taxes imposed on the sale, use, or rental of motor vehicles
3 to the state highway fund and limiting the permissible uses of
4 certain money in the fund.

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

6 SECTION 1. Section 7-a, Article VIII, Texas Constitution,
7 is amended to read as follows:

8 Sec. 7-a. (a) Subject to legislative appropriation,
9 allocation and direction, all net revenues remaining after payment
10 of all refunds allowed by law and expenses of collection derived
11 from motor vehicle registration fees, and all taxes, except gross
12 production and ad valorem taxes, on motor fuels and lubricants used
13 to propel motor vehicles over public roadways, shall be used for the
14 sole purpose of acquiring rights-of-way, constructing,
15 maintaining, and policing such public roadways, and for the
16 administration of such laws as may be prescribed by the Legislature
17 pertaining to the supervision of traffic and safety on such roads;
18 ~~[and for the payment of the principal and interest on county and~~
19 ~~road district bonds or warrants voted or issued prior to January 2,~~
20 ~~1939, and declared eligible prior to January 2, 1945, for payment~~
21 ~~out of the County and Road District Highway Fund under existing~~
22 ~~law,]~~ provided, however, that one-fourth (1/4) of such net revenue
23 from the motor fuel tax shall be allocated to the Available School
24 Fund; and, provided, however, that the net revenue derived by

1 counties from motor vehicle registration fees shall never be less
2 than the maximum amounts allowed to be retained by each County and
3 the percentage allowed to be retained by each County under the laws
4 in effect on January 1, 1945. Nothing contained herein shall be
5 construed as authorizing the pledging of the State's credit for any
6 purpose.

7 (b) For a biennium, the Legislature may not appropriate
8 funds derived from the revenue described by Subsection (a) of this
9 section or Section 7-b of this article for a purpose other than
10 acquiring rights-of-way or planning, designing, constructing, or
11 maintaining public roadways in an amount that exceeds the lesser
12 of:

13 (1) the total amount of those funds appropriated for a
14 purpose other than acquiring rights-of-way or planning, designing,
15 constructing, or maintaining public roadways in the preceding
16 biennium; or

17 (2) the amount determined under Subsection (c) of this
18 section.

19 (c) For each biennium, the maximum amount that may be
20 appropriated as provided by Subsection (b) of this section is
21 reduced by 20 percent from the preceding biennium if the estimate of
22 anticipated revenue from all sources made in advance of the regular
23 session under Section 49a(a), Article III, of this constitution for
24 the biennium exceeds the total amount of revenue from all sources
25 for the preceding biennium by more than three times the amount of
26 the reduction.

27 (d) All net revenue derived from the taxes imposed on the

1 sale, use, or rental of motor vehicles by Chapter 152, Tax Code, or
2 its successor shall be deposited to the credit of a special account
3 in the state highway fund.

4 (e) Interest earned on the account under Subsection (d) of
5 this section in the state highway fund shall be credited to the
6 account. Revenue allocated to the account and interest on the
7 revenue may be used only for acquiring rights-of-way and planning,
8 designing, constructing, and maintaining nontolled public
9 roadways.

10 SECTION 2. The following temporary provision is added to
11 the Texas Constitution:

12 TEMPORARY PROVISION. (a) This temporary provision applies
13 to the constitutional amendment proposed by the 84th Legislature,
14 Regular Session, 2015, dedicating revenue derived from the taxes
15 imposed on the sale, use, or rental of motor vehicles to the state
16 highway fund and limiting the permissible uses of certain money in
17 the fund.

18 (b) Sections 7-a(b) and (c), Article VIII, of this
19 constitution apply only in connection with a state fiscal biennium
20 that begins on or after September 1, 2017.

21 (c) Sections 7-a(d) and (e), Article VIII, of this
22 constitution take effect January 1, 2016.

23 (d) This temporary provision expires September 2, 2017.

24 SECTION 3. This proposed constitutional amendment shall be
25 submitted to the voters at an election to be held November 3, 2015.
26 The ballot shall be printed to permit voting for or against the
27 proposition: "The constitutional amendment dedicating revenue

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1 derived from the taxes imposed on the sale, use, or rental of motor
2 vehicles to the state highway fund and limiting the permissible
3 uses of certain money in the fund."