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H.J.R. No. 43

A JOINT RESOLUTION

1 proposing a constitutional amendment prohibiting the taxation of
2 the sale or use of certain prescription medicine.

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

4 SECTION 1. Article VIII, Texas Constitution, is amended by
5 adding Section 26 to read as follows:

6 Sec. 26. The legislature may not enact a general law that
7 would impose a state tax on the sale or use of a prescription
8 medicine that was not subject to taxation under Chapter 151, Tax
9 Code, on January 1, 2015.

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, prohibiting the taxation of the sale or use
15 of certain prescription medicine.

16 (b) This temporary provision expires December 31, 2017.

17 (c) If the 84th Legislature, during the regular or a special
18 session, enacts a general law prohibited by Section 26, Article
19 VIII, of this constitution, the portion of the general law that
20 violates that section expires January 1, 2017.

21 SECTION 3. This proposed constitutional amendment shall be
22 submitted to the voters at an election to be held November 3, 2015.
23 The ballot shall be printed to permit voting for or against the
24 proposition: "The constitutional amendment prohibiting the

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1 taxation of the sale or use of certain prescription medicine."