

By: Phillips

H.J.R. No. 91

A JOINT RESOLUTION

1 proposing a constitutional amendment dedicating certain revenue
2 derived from the tax imposed on the sale of motor vehicles to the
3 state highway fund.

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 7-c to read as follows:

7 Sec. 7-c. (a) Subject to Subsection (b) of this section,
8 all net revenue derived from the tax authorized by Chapter 152, Tax
9 Code, or its successor, and imposed on the sale of a motor vehicle
10 sold in this state that exceeds the first \$2.5 billion of that
11 revenue coming into the treasury for a state fiscal year shall be
12 deposited to the credit of the state highway fund and may be
13 appropriated only to:

14 (1) construct, maintain, or acquire rights-of-way for
15 public roadways other than toll roads; or

16 (2) repay the principal and interest on general
17 obligation bonds issued as authorized by Section 49-p, Article III,
18 of this constitution.

19 (b) Revenue described by Subsection (a) of this section
20 that, under general law in effect on January 1, 2015, was required
21 to be deposited to the credit of a fund outside the general revenue
22 fund from which money could be appropriated only for a purpose that
23 decreases the rates of, or reduces reliance on, ad valorem taxes
24 imposed to fund public schools is not included as part of the first

1 \$2.5 billion coming into the treasury for purposes of Subsection
2 (a) of this section, and is not subject to the requirements
3 applicable to the deposit of money in excess of \$2.5 billion
4 prescribed by Subsection (a) of this section, to the extent general
5 law continues to require the deposit of that revenue as described by
6 this subsection and limit the appropriation of that revenue to the
7 purpose described by this subsection.

8 SECTION 2. The following temporary provision is added to
9 the Texas Constitution:

10 TEMPORARY PROVISION. (a) This temporary provision applies
11 to the constitutional amendment proposed by the 84th Legislature,
12 Regular Session, 2015, dedicating certain revenue derived from the
13 tax imposed on the sale of a motor vehicle sold in this state to the
14 state highway fund.

15 (b) The changes to Article VIII of this constitution made by
16 the amendment take effect September 1, 2017.

17 (c) Beginning with the state fiscal year beginning on
18 September 1, 2017, the legislature may not appropriate any revenue
19 to which Section 7-c(a), Article VIII, of this constitution applies
20 for any purpose other than a purpose described by Section 7-c(a),
21 Article VIII, of this constitution.

22 (d) This temporary provision expires September 1, 2018.

23 SECTION 3. This proposed constitutional amendment shall be
24 submitted to the voters at an election to be held November 3, 2015.
25 The ballot shall be printed to permit voting for or against the
26 proposition: "The constitutional amendment dedicating certain
27 revenue derived from the tax imposed on the sale of a motor vehicle

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1 sold in this state to the state highway fund."