

By: Schofield

H.J.R. No. 121

A JOINT RESOLUTION

1 proposing a constitutional amendment concerning the limitation on
2 the rate of growth in appropriations.

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

4 SECTION 1. Section 22, Article VIII, Texas Constitution, is
5 amended to read as follows:

6 Sec. 22. (a) In no biennium shall the rate of growth of
7 appropriations subject to certification by the comptroller of
8 public accounts under Section 49a(b), Article III, of this
9 constitution, [~~from state tax revenues not dedicated by this~~
10 constitution] exceed a rate equal to the sum of the rates [~~estimated~~
11 rate] of increase or decrease, during the biennium preceding the
12 biennium for which the appropriations are made, [~~growth]~~ of:

13 (1) the state's population; and

14 (2) inflation or deflation in this state [~~economy]~~.

15 (b) Notwithstanding Subsection (a) of this section, an
16 appropriation to pay for a rebate of state taxes must be excluded
17 from computations used to determine whether appropriations exceed
18 the amount authorized by that subsection.

19 (c) The rates described by Subsection (a) of this section
20 shall be determined in the manner provided by general law. If the
21 sum of those rates is a negative number, appropriations for the
22 biennium that are subject to certification by the comptroller of
23 public accounts under Section 49a(b), Article III, of this
24 constitution, may not exceed the appropriations from those sources

1 in the current state fiscal biennium.

2 (d) In this section, the rate of change of appropriations
3 that are subject to certification by the comptroller of public
4 accounts under Section 49a(b), Article III, of this constitution,
5 is the percentage difference between:

6 (1) the amount of money appropriated for the current
7 biennium from those sources as estimated in the manner prescribed
8 by law at or near the time the legislature convenes in regular
9 session during the current biennium; and

10 (2) the amount of money appropriated for the next
11 biennium from those sources as finally estimated by the comptroller
12 at the times the Acts making appropriations are considered by the
13 comptroller under Section 49a, Article III, of this constitution.

14 (e) The legislature shall provide by general law procedures
15 to implement Subsections (a), (b), (c), and (d) of this section
16 [subsection].

17 (f) [~~(b)~~] If the legislature by adoption of a resolution
18 approved by a record vote of three-fifths [~~a majority~~] of the
19 members of each house finds that an emergency exists and identifies
20 the nature of the emergency, the legislature may provide for
21 appropriations in excess of the amount authorized by Subsection (a)
22 of this section. The excess authorized under this subsection may
23 not exceed the amount specified in the resolution.

24 (g) [~~(e)~~] In no case shall appropriations exceed revenues
25 as provided in Section 49a, Article III, [~~Section 49a~~], of this
26 constitution. Nothing in this section shall be construed to alter,
27 amend, or repeal Section 49a, Article III, [~~Section 49a~~], of this

1 constitution.

2 SECTION 2. This proposed constitutional amendment shall be
3 submitted to the voters at an election to be held November 3, 2015.
4 The ballot shall be printed to permit voting for or against the
5 proposition: "The constitutional amendment concerning the
6 limitation on the rate of growth in appropriations."