

By: Muñoz, Jr.

H.J.R. No. 136

A JOINT RESOLUTION

1 proposing a constitutional amendment to establish a permanent
2 endowment to support the construction, acquisition, improvement,
3 and equipping of buildings, facilities, and other improvements at
4 public junior and community colleges.

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

6 SECTION 1. Article VII, Texas Constitution, is amended by
7 adding Section 21 to read as follows:

8 Sec. 21. (a) There is established the permanent public
9 community college fund for the purpose of providing a dedicated,
10 independent, and equitable source of funding to support the
11 construction, acquisition, improvement, and equipping of
12 buildings, facilities, and other improvements at public junior and
13 community colleges.

14 (b) The fund consists of money transferred or deposited to
15 the credit of the fund and any interest or other return on the
16 investment assets of the fund. The legislature may dedicate state
17 revenue to the credit of the fund.

18 (c) The legislature shall provide for administration of the
19 fund, which shall be invested in the manner and according to the
20 standards provided for investment of the permanent university fund.
21 The expenses of managing the investments of the fund shall be paid
22 from the fund.

23 (d) In each state fiscal biennium, the legislature may
24 appropriate as provided by Subsection (f) of this section all or a

1 portion of the total return on all investment assets of the fund to
2 carry out the purposes for which the fund is established.

3 (e) The legislature shall allocate the amounts appropriated
4 under this section, or shall provide for an allocation of those
5 amounts, to eligible junior college districts to carry out the
6 purposes of the fund. The money shall be allocated based on an
7 equitable formula established by the legislature or by an agency
8 designated by the legislature.

9 (f) The portion of the total return on investment assets of
10 the fund that is available for appropriation in a state fiscal
11 biennium under this section is the portion determined by the
12 legislature, or an agency designated by the legislature, as
13 necessary to provide as nearly as practicable a stable and
14 predictable stream of annual distributions to eligible junior
15 college districts and to maintain over time the purchasing power of
16 fund investment assets. The amount appropriated from the fund in
17 any fiscal year may not exceed an amount equal to seven percent of
18 the average net fair market value of the investment assets of the
19 fund, as determined by law.

20 (g) The legislature shall establish criteria by which a
21 junior college district may become eligible to receive a portion of
22 the distributions from the fund. A junior college district that
23 becomes eligible to receive a portion of the distributions from the
24 fund in a state fiscal biennium remains eligible to receive
25 additional distributions from the fund in any subsequent state
26 fiscal biennium.

27 (h) A junior college district may use distributions from the

1 fund only for the construction, acquisition, improvement, and
2 equipping of buildings, facilities, and other improvements at
3 public junior college and community college campuses operated by
4 the districts, including to pay the principal and interest on bonds
5 or other obligations issued for that purpose.

6 SECTION 2. Section 49-g, Article III, Texas Constitution,
7 is amended by adding Subsection (p) to read as follows:

8 (p) Notwithstanding the other provisions of this section,
9 on the first day of each state fiscal year, the comptroller shall
10 transfer from the economic stabilization fund to the permanent
11 public community college fund established under Section 21, Article
12 VII, of this constitution an amount equal to 10 percent of the total
13 amount of funds deposited into the economic stabilization fund in
14 the preceding state fiscal year.

15 SECTION 3. Section 18, Article VII, Texas Constitution, is
16 amended by adding Subsection (k) to read as follows:

17 (k) Notwithstanding the other provisions of this section,
18 in each state fiscal year, before any other amounts are distributed
19 under those provisions from the available university fund, the
20 Board of Regents of The University of Texas System shall transfer
21 from the available university fund to the permanent public
22 community college fund established under Section 21 of this article
23 an amount equal to one percent of the amount distributed from the
24 permanent university fund to the available university fund in that
25 fiscal year. This subsection expires when the comptroller of
26 public accounts certifies to the governor and the Board of Regents
27 of The University of Texas System that the balance of the permanent

1 public community college fund is sufficient to provide annual
2 distributions to adequately fund the construction, acquisition,
3 improvement, and equipping of buildings, facilities, and other
4 improvements at public junior and community colleges.

5 SECTION 4. This proposed constitutional amendment shall be
6 submitted to the voters at an election to be held November 3, 2015.
7 The ballot shall be printed to permit voting for or against the
8 proposition: "The constitutional amendment to establish a
9 permanent endowment to support the construction, acquisition,
10 improvement, and equipping of buildings, facilities, and other
11 improvements at public junior and community colleges."