

By: Nichols, et al.
(Pickett)

S.J.R. No. 5

Substitute the following for S.J.R. No. 5:

By: Davis of Dallas

C.S.S.J.R. No. 5

A JOINT RESOLUTION

1 proposing a constitutional amendment temporarily dedicating a
2 portion of the revenue derived from the state sales and use tax to
3 the 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) In each state fiscal year, the comptroller of
8 public accounts shall deposit to the credit of the state highway
9 fund \$3 billion of the net revenue derived from the imposition of
10 the state sales and use tax on the sale, storage, use, or other
11 consumption in this state of taxable items under Chapter 151, Tax
12 Code, or its successor.

13 (b) In addition to any deposit made under Subsection (a) of
14 this section, in each state fiscal year the comptroller of public
15 accounts shall deposit to the credit of the state highway fund an
16 amount equal to two percent of the net revenue described by that
17 subsection that is not deposited as provided by that subsection.

18 (c) Money deposited to the credit of the state highway fund
19 under this section may be appropriated only to:

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

22 (2) repay the principal of and interest on:

23 (A) bonds and other public securities issued, and
24 bond enhancement agreements entered into, as authorized by Section

49-n, Article III, of this constitution, as proposed by H.J.R. 28, 78th Legislature, Regular Session, 2003; and

(B) general obligation bonds issued as authorized by Section 49-p, Article III, of this constitution.

(d) This section expires September 1, 2026.

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

TEMPORARY PROVISION. (a) This temporary provision applies to the constitutional amendment proposed by the 84th Legislature, Regular Session, 2015, temporarily dedicating a portion of the revenue derived from the state sales and use tax to the state highway fund.

(b) Section 7-c(a), Article VIII, of this constitution takes effect September 1, 2017.

(c) Section 7-c(b), Article VIII, of this constitution takes effect September 1, 2016.

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

SECTION 3. This proposed constitutional amendment shall be submitted to the voters at an election to be held November 3, 2015. The ballot shall be printed to permit voting for or against the proposition: "The constitutional amendment temporarily dedicating a portion of state sales and use tax revenue to increase transportation funding."