

By: Perry

S.J.R. No. 11

A JOINT RESOLUTION

1 proposing a constitutional amendment regarding the maximum amount
2 of appropriations for a state fiscal biennium.

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) The amount [~~In no biennium shall the rate of~~
7 ~~growth~~] of appropriations from the state treasury for a fiscal
8 biennium may not [~~tax revenues not dedicated by this constitution~~]
9 exceed the maximum amount determined in accordance with Subsection
10 (c) of this section and general law [~~estimated rate of growth of the~~
11 ~~state's economy~~].

12 (b) The maximum rate of growth of appropriations from the
13 state treasury for a fiscal biennium, as compared to the preceding
14 fiscal biennium, is the lesser of:

15 (1) a rate equal to the sum of:

16 (A) the estimated rate of growth of this state's
17 population; and

18 (B) the estimated rate of monetary inflation in
19 this state; or

20 (2) the estimated rate of growth of personal income of
21 this state's residents.

22 (c) The amount of permissible appropriations may not exceed
23 an amount determined by multiplying the amount of appropriations
24 for the then-current fiscal biennium by the sum of one plus the

1 maximum rate of growth determined under Subsection (b) of this
2 section.

3 (d) The legislature shall provide by general law procedures
4 to implement this section [~~subsection~~].

5 (e) [~~(b)~~] If the legislature, by adoption on a record vote
6 of a resolution approved by two-thirds [~~a record vote of a majority~~]
7 of the members of each house, finds that an emergency exists and
8 identifies the nature of the emergency, the legislature may provide
9 for appropriations in excess of the maximum permissible amount of
10 appropriations authorized under [~~by~~] Subsection (c) [~~(a)~~] of this
11 section. The total of the excess appropriations authorized by
12 resolutions approved under this subsection may not exceed the total
13 of the amounts [~~amount~~] specified in those resolutions [~~the~~
14 ~~resolution~~].

15 (f) [~~(c)~~] In no case shall appropriations exceed revenues
16 as provided in Article III, Section 49a, of this constitution.
17 Nothing in this section shall be construed to alter, amend, or
18 repeal Article III, Section 49a, of this constitution.

19 SECTION 2. Section 49a, Article III, Texas Constitution, is
20 amended by adding Subsections (c) and (d) to read as follows:

21 (c) A bill containing an appropriation may not be considered
22 as passed and may not be sent to the Governor for consideration
23 until the Comptroller of Public Accounts endorses on the bill the
24 Comptroller's certificate showing that the amount appropriated
25 does not exceed the maximum amount of permissible appropriations
26 for that fiscal biennium authorized under Section 22, Article VIII,
27 of this constitution.

1 (d) When the Comptroller of Public Accounts finds that a
2 bill containing an appropriation exceeds the maximum amount of
3 permissible appropriations for that fiscal biennium authorized
4 under Section 22, Article VIII, of this constitution, the
5 Comptroller shall:

6 (1) endorse on the bill that finding;

7 (2) return the bill to the House in which it
8 originated; and

9 (3) notify immediately the House of Representatives
10 and the Senate of the finding.

11 SECTION 3. The following temporary provision is added to
12 the Texas Constitution:

13 TEMPORARY PROVISION. (a) This temporary provision applies
14 to the amendments to Section 49a, Article III, of this constitution
15 and Section 22, Article VIII, of this constitution, as proposed by
16 the 84th Legislature, Regular Session, 2015, regarding the maximum
17 amount of appropriations for a state fiscal biennium.

18 (b) Sections 49a(c) and (d), Article III, of this
19 constitution apply only in relation to bills containing
20 appropriations for the state fiscal biennium beginning September 1,
21 2017, and subsequent state fiscal bienniums.

22 (c) Section 22, Article VIII, of this constitution, as
23 amended, applies only in relation to appropriations made for the
24 state fiscal biennium beginning September 1, 2017, and subsequent
25 state fiscal bienniums. Appropriations for the state fiscal
26 biennium that began September 1, 2015, are governed by Section 22,
27 Article VIII, of this constitution as that section provided

1 immediately before the amendment of that section was approved by
2 the voters.

3 (d) This temporary provision expires December 1, 2017.

4 SECTION 4. (a) This proposed constitutional amendment
5 shall be submitted to the voters at an election to be held November
6 3, 2015.

7 (b) The ballot shall be printed to permit voting for or
8 against the proposition: "The constitutional amendment regarding
9 the maximum amount of appropriations for a state fiscal biennium."