

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

April 14, 2015

TO: Honorable John Otto, Chair, House Committee on Appropriations

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HJR111 by Darby (Proposing a constitutional amendment to prohibit using revenues, other money, or account or fund balances dedicated by law for nondedicated general governmental purposes or for certification of appropriations for nondedicated purposes or entities.), **As Introduced**

No fiscal implication to the State is anticipated through fiscal year 2023, other than the cost of publication. The cost to the state for publication of the resolution is \$118,681.

If approved by voters, the prohibition from considering unappropriated dedicated revenue and balances as available for certification could result in a negative impact on amounts available for certification beginning in the 2024-25 biennium, but the amount would depend on future actions of the Legislature and cannot be determined at this time.

The resolution would propose two amendments to the Texas Constitution that would, beginning in the 2024-25 biennium, prohibit the use of unappropriated revenue or balances in accounts dedicated by law to a particular purpose or entity for general government spending purposes and certification of General Revenue Fund appropriations.

The resolution would propose an amendment to the Texas Constitution, Article III, Section 49a, to direct the Comptroller to not consider any portion of any revenue received by the state, or any account or fund balance that by law is dedicated to a particular purpose or entity, as part of the revenue available for certification of General Revenue Fund appropriations. Further, the amendment would prohibit the Legislature from making by enactment of general law an unappropriated balance of a dedicated account or fund available for general government purposes or certification, except by expressly repealing the dedication.

The resolution also would propose an amendment to Article VIII of the Texas Constitution to prohibit the appropriation or expenditure of revenue or other money received by the state to an account or fund either within or outside the state Treasury that is dedicated to a particular purpose or entity, or account or fund balances dedicated by law, for any non-dedicated purpose or entity, unless the revenue or account dedication is repealed.

The proposed amendments would be submitted to voters at an election to be held November 3, 2015. If approved by the voters, the amendment to Article III would take effect January 1, 2023, and the amendment to Article VIII would take effect September 1, 2023.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 304 Comptroller of Public Accounts

LBB Staff: UP, KK, JJ, ZS