

RESOLUTION ANALYSIS

C.S.H.J.R. 31
By: Shine
State Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Concerns have been raised about the impact unfunded state mandates have on counties, municipalities, and school districts across Texas. C.S.H.J.R. 31 proposes an amendment to the Texas Constitution to restrict the power of the legislature to mandate requirements on a municipality, county, or school district.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this resolution does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this resolution does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.J.R. 31 proposes an amendment to the Texas Constitution to condition the effectiveness of a law enacted by the legislature on or after January 1, 2018, that requires a municipality, county, or school district to establish, expand, or modify a duty or activity that requires the expenditure of revenue by the municipality, county, or district on the legislature appropriating or otherwise providing, from a source other than the revenue of the municipality, county, or district, for the payment or reimbursement of the costs incurred for the biennium by the municipality, county, or district in complying with the requirement.

ELECTION DATE

The constitutional amendment proposed by this joint resolution will be submitted to the voters at an election to be held November 7, 2017.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.J.R. 31 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the resolution.

INTRODUCED

SECTION 1. Article III, Texas Constitution, is amended by adding Section 68 to read as follows:

Sec. 68. A law enacted by the legislature on or after January 1, 2019, that requires a

HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Article III, Texas Constitution, is amended by adding Section 68 to read as follows:

Sec. 68. A law enacted by the legislature on or after January 1, 2018, that requires a

municipality or county to establish, expand, or modify a duty or activity that requires the expenditure of revenue by the municipality or county is not effective unless the legislature appropriates or otherwise provides, from a source other than the revenue of the municipality or county, for the payment or reimbursement of the costs incurred for the biennium by the municipality or county in complying with the requirement.

SECTION 2. This proposed constitutional amendment shall be submitted to the voters at an election to be held November 6, 2018. The ballot shall be printed to permit voting for or against the proposition: "The constitutional amendment to restrict the power of the legislature from mandating unfunded requirements on a municipality or county."

municipality, county, or school district to establish, expand, or modify a duty or activity that requires the expenditure of revenue by the municipality, county, or school district is not effective unless the legislature appropriates or otherwise provides, from a source other than the revenue of the municipality, county, or school district, for the payment or reimbursement of the costs incurred for the biennium by the municipality, county, or school district in complying with the requirement.

SECTION 2. This proposed constitutional amendment shall be submitted to the voters at an election to be held November 7, 2017. The ballot shall be printed to permit voting for or against the proposition: "The constitutional amendment to restrict the power of the legislature from mandating unfunded costs and requirements on a municipality, county, or school district."