

By: Howard

H.J.R. No. 52

A JOINT RESOLUTION

1 proposing a constitutional amendment to allocate certain surplus
2 state revenue to the retired school employees group insurance fund.

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

4 SECTION 1. Section 49-g, Article III, Texas Constitution,
5 is amended by amending Subsections (c), (c-1), and (c-2) and adding
6 Subsection (c-3) to read as follows:

7 (c) Not later than the 90th day of each fiscal year, the
8 comptroller of public accounts shall transfer from the general
9 revenue fund to the economic stabilization fund, ~~and~~ the state
10 highway fund, and the retired school employees group insurance fund
11 administered by the Teacher Retirement System of Texas the sum of
12 the amounts described by Subsections (d) and (e) of this section, to
13 be allocated as provided by Subsections (c-1), ~~and~~ (c-2), and
14 (c-3) of this section. However, if necessary and notwithstanding
15 the allocations prescribed by Subsections (c-1), ~~and~~ (c-2), and
16 (c-3) of this section, the comptroller shall reduce proportionately
17 the amounts described by Subsections (d) and (e) of this section to
18 be transferred and allocated to the economic stabilization fund to
19 prevent the amount in that fund from exceeding the limit in effect
20 for that biennium under Subsection (g) of this section. Revenue
21 transferred to the state highway fund under this subsection may be
22 used only for constructing, maintaining, and acquiring
23 rights-of-way for public roadways other than toll roads.

24 (c-1) Of the sum of the amounts described by Subsections (d)

1 and (e) of this section and required to be transferred from the
2 general revenue fund under Subsection (c) of this section, the
3 comptroller shall allocate one-half to the economic stabilization
4 fund and the remainder to the state highway fund, except as provided
5 by Subsections [~~Subsection~~] (c-2) and (c-3) of this section.

6 (c-2) The legislature by general law shall provide for a
7 procedure by which the allocation of the sum of the amounts
8 described by Subsections (d) and (e) of this section may be adjusted
9 to provide for a transfer to the economic stabilization fund of an
10 amount greater than the allocation provided for under Subsection
11 (c-1) of this section with the remainder of that sum, if any,
12 allocated for transfer to the state highway fund or the retired
13 school employees group insurance fund, if applicable. The
14 allocation made as provided by that general law is binding on the
15 comptroller for the purposes of the transfers required by
16 Subsection (c) of this section.

17 (c-3) If the amount of revenue for a biennium that is
18 designated for transfer to the economic stabilization fund under
19 Subsections (b), (d), and (e) of this section exceeds the estimate
20 of the amount of the transfer to the fund that was made for that
21 biennium by the comptroller under Subsection (h) of this section,
22 the comptroller shall transfer any amount of that revenue in excess
23 of the estimated amount to the credit of the retired school
24 employees group insurance fund.

25 SECTION 2. This proposed constitutional amendment shall be
26 submitted to the voters at an election to be held November 7, 2017.
27 The ballot shall be printed to permit voting for or against the

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1 proposition: "The constitutional amendment to allocate certain
2 surplus state revenue to the retired school employees group
3 insurance fund."