

By: Capriglione

H.C.R. No. 118

CONCURRENT RESOLUTION

1 WHEREAS, In the 2015 election, 83 percent of Texas voters
2 approved Proposition 7, a state constitutional amendment directing
3 the allocation of a modest portion of sales tax revenue to the state
4 highway fund for much-needed roadwork; and

5 WHEREAS, Senate Bill 1 employs an accounting procedure that
6 delays the prescribed diversion of \$2.5 billion for highway funding
7 from the 2019 fiscal year to the following budget cycle; this
8 effectively double counts \$2.5 billion, which will appear on the
9 books of both the state's general fund and the highway fund during
10 2019; and

11 WHEREAS, In addition to counting the same money twice, this
12 tactic ignores Section 7-c, Article VIII, of the Texas
13 Constitution, which requires the state comptroller to shift
14 designated revenues to the state highway fund from the general
15 revenue fund in the same fiscal year in which that revenue is
16 collected; and

17 WHEREAS, Failure to allocate the designated revenues to the
18 highway fund in the correct year would contravene both the Texas
19 Constitution and the clearly expressed desire of an overwhelming
20 percentage of Texas voters; now, therefore, be it

21 RESOLVED, That the 85th Legislature of the State of Texas
22 hereby find that the diversion of sales tax funds from general
23 revenue to the state highway fund was approved by Texas voters in
24 2015 and is required under Section 7-c, Article VIII, of the Texas

1 Constitution; and, be it further

2 RESOLVED, That the Texas Legislature affirm that a delay of

3 this transfer from one fiscal year to another is unconstitutional.